REPORT

ON THE

ADMINISTRATION OF CIVIL JUSTICE

IN THE

PUNJAB AND ITS DEPENDENCIES

DURING THE YEAR

1868.

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Proceedings of the Honorable the Lieutenant Governor in the Judicial Department, No. 1298, dated 10th September 1869.

No. 2159.

From

T. W. Smyth, Esquire,
Officiating Registrar of the Chief Court of the Punjab.

To

T. H. Thornton, Esquire, D. C. L.,
Secretary to the Government of the Punjab.

Dated Lahore, 13th July, 1869.

SIR,

CHIEF COURT OF THE PUNJAB.
CIVIL DEPARTMENT.
PRESENT:—C. BOULNOIS, ESQR., D. SIMSON, ESQR., *Judges.*

I have the honor, by direction of the Judges of the Chief Court, to submit their Report on the Administration of Civil Justice in the Punjab during the year 1868, together with the prescribed Returns and Statements.

PART I.—ORIGINAL SUITS.

Increase in original suits.

2. A large increase has occurred in the number of original suits instituted in the Civil Courts of the Province during the year 1868, as compared with the previous year. The institutions, however, did not reach the limit attained in 1866, in which year the number of institutions far exceeded that of any previous year in the Punjab.

In what Courts increase occurred.

3. The number instituted in the several Civil Courts during the past three years was as follows:—

	1866.	1867.	1868.	
Ordinary Civil Courts, ...	1,34,693	1,14,592	1,24,866	10,364
8 District Small Cause Courts, ...	24,751	22,662	27,162	4,500
8 Cantonment Small Cause Courts,	6,526	7,464	7,522	58
Total, ...	1,65,970	1,44,628	1,59,550	14,922

Comparison with previous years.

4. In the aggregate there has been an increase of 14,922 cases, or about 10 per cent, as compared with the year 1867. In that year it will be remembered there was a large decrease

(12 per cent) in institutions as compared with the year 1866, owing partly to the increase in stamp duty, and partly to the general sickliness of the season, and to other causes. The institutions in the year under report are not so numerous as in 1866, but they are only 6,420 or 3·8 per cent less than in that year.

Institutions have not increased in the same ratio in the several Courts.

5. The institutions have not increased in the same ratio in the several Courts. Thus, in the ordinary District Courts the increase amounted to 9 per cent, in the District Small Cause Courts to 20 per cent, and in Cantonment Small Cause Courts the increase was hardly apparent—being less than one per cent.

In what districts increase has occurred.

6. The increase is not so general as the decrease noticed in the returns for 1867, but it occurred in 22 out of the 32 districts in the Province, as will appear from the following tabular statement :—

District.	Instituted in 1866.	Instituted in 1867.	Instituted in 1868.	Difference between 1867 and 1868.	Per-centage.
Delhi, ...	5,101	4,935	5,083	+148	3 p. c. increase.
Goorgaon, ...	2,445	1,710	1,691	—19	1 p. c. decrease.
Kurnaul, ...	2,482	1,932	2,050	+118	6 p. c. increase.
Hissar, ...	1,953	1,533	1,742	+209	13 „ „
Rohtuck, ...	2,141	1,485	1,496	+11	·7 „ „
Sirsa, ...	1,267	904	892	—12	1 „ decrease.
Amballa, ...	8,167	7,472	7,177	—295	4 „ „
Loodiana, ...	6,055	6,090	6,096	+6	09 „ increase.
Simla, ...	2,286	1,838	1,852	+14	·7 „ „
Jullundur, ...	11,394	10,191	11,613	+1,422	13 „ „
Hooshiarpore, ...	12,980	10,853	15,747	+4,894	45 „ „
Kangra,...	4,500	3,476	4,407	+931	26 „ „
Amritsur, ...	12,228	11,209	14,326	+3,117	27 „ „
Goordaspore, ...	7,647	5,101	4,338	—763	17 „ decrease.
Scalkote, ...	6,408	8,571	9,356	+785	9 „ increase.
Lahore, ...	11,556	9,053	11,027	+1,974	21 „ „
Goojranwalla, ...	4,483	3,756	4,531	+775	17 „ „
Ferozepore, ...	7,379	6,861	6,302	—559	8 „ decrease.

INSTITUTIONS.—*Continued.*

DISTRICT.	Instituted in 1866	Instituted in 1867.	Instituted in 1868.	Difference between 1867 and 1868.	Per-centage.
Rawul Pindee, ...	6,468	6,083	7,241	+1,158	19 „ increase
Jhelum, ...	3,825	3,130	2,615	—524	20 „ decrease.
Goojrat, ...	3,746	3,029	3,856	+827	27 „ increase.
Shahpore, ...	3,315	3,157	3,869	+712	22 „ „
Mooltan, ...	2,074	2,021	3,010	+389	14 „ „
Jhung, ...	3,353	3,419	3,430	+11	3 „ „
Montgomery, ...	2,619	2,055	2,699	+644	31 „ „
Mozuffergurh, ...	3,085	2,423	3,668	+245	7 „ „
Bunnoo, ...	4,016	4,241	3,458	—783	22 „ decrease.
Dera Ismail Khan, ..	5,056	4,393	4,022	—371	9 „ „
Dera Ghazee Khan, ...	4,275	3,947	3,710	—237	6 „ „
Peshawur, ...	7,204	6,313	6,489	+176	2 „ increase.
Huzara, ...	1,590	1,180	902	—278	30 „ decrease.
Kohat, ...	737	658	855	+197	29 „ increase.
Total, ...	1,65,970	1,44,628	1,59,550	+14,022	10 p. c. increase.

Increase in ordinary Civil Suits and decrease in suits for land.

7. Ordinary Civil Suits have increased from 1,17,598 in 1867 to 1,33,996 in 1868, or by 14 per cent, while suits for land, formerly known as "Regular Revenue Suits," have decreased from 27,030 to 25,554, or by 5·5 per cent.

Cause of increase in ordinary Civil Suits.

8. The increase in ordinary Civil Suits is attributed to the change in the law of limitation introduced by Act XIV of 1859, and doubtless this was the chief cause of the increase. Part of it is also said to be due to the fact that many suits which under ordinary circumstances would have been brought in 1867, and which were kept out of Court owing to the exceptional causes explained in the Report for that year, had to be brought in 1868.

Effect of Act XIV of 1859.

9. Act XIV of 1859 was extended to the Punjab from the 1st January 1867, but its rules of limitation in regard to suits did not come into operation until two years afterwards, viz. on the 1st January 1869. The effect of these rules being to reduce the period of

limitation in suits for book debts, running accounts, and unregistered bonds, claims which would become barred from the moment the new rules came into operation were hurried into Court at the end of last year before the expiry of the old law of limitation. It is apparent from the statistics given in some District Reports that the great influx of suits took place in the latter part of the year, and the increase was most marked in those classes of suits which were most likely to be affected by the change in the period of limitation, and in Small Cause Courts, in which such claims form a larger proportion of the litigation than in the ordinary District Courts.

Effect of the famine on litigation.

10. District Officers are not agreed as to the effect upon litigation of the distress which prevailed during the latter portion of 1868. Some officers attribute the increase which has taken place in their respective districts to the inability of debtors to meet the demand of their creditors owing to pressure of circumstances arising from the scarcity of grain, while others say that creditors, seeing the distress of their debtors, refrained from bringing suits until a more favourable season.

11. It is quite possible that the distress may have operated in both the ways indicated above. If the term of limitation was near its expiry creditors would be obliged to bring suits into Court on the chance of the ultimate recovery of the amount decreed from the debtor as soon as his means improved; and in other cases where delay was of no consequence creditors would in most instances postpone their demands until their debtors were better off and able to pay them by the return of a favourable season.

Decrease in Suits for land.

12. Suits for land were not so immediately affected by the change in the law of limitation as ordinary Civil Suits, and they have not increased. On the contrary, as stated in para 7, there has been in the aggregate a decrease of 5·5 per cent in this class of suits. The cause of this decrease is not apparent, and it has not been satisfactorily explained in the reports of District Officers. Some officers attribute it to the enhanced rate of stamp duty leviable in suits for land under the new Stamp Act; but as the decrease occurred in only 15 districts, and there was an increase in 16 other districts, the decrease cannot be satisfactorily accounted for in that way. Without further information and statistics the Judges are not prepared to express an opinion, but they can hardly believe that natives, who are so tenacious of their rights in land, would be deterred from bringing suits owing to the increased stamp duty. It is possible that the completion of the

Regular Settlement in some districts and the commencement of Settlement operations in others may have caused a decrease in the number of suits relating to land instituted in the Civil Courts.

Districts in which decrease occurred.

13. In the following districts a decrease has taken place in the total number of institutions—

	1867.	1868.	*Decrease.*
Goorgaon, ...	1,710	1,691	19
Sirsa, ...	904	892	12
Umballa, ...	7,472	7,177	295
Goordaspore, ...	5,101	4,338	763
Ferozepore, ...	6,861	6,302	559
Jhelum, ...	3,139	2,615	524
Bunnoo, ...	4,241	3,458	783
Dera Ismael Khan, ...	4,393	4,022	371
Dera Ghazee Khan, ...	3,947	3,710	237

Causes of decrease.

14. In Goorgaon and Sirsa the decrease is so small as to require no explanation. In Goordaspore it was due to the transfer of the Pergunna Buttala to the Umritsur district, and in Huzara to the effect of the late disturbances in suspending work and engaging the people. In the Ferozepore district it is attributed almost entirely to the famine; in the Jhelum district partly to that and partly to the alteration of the stamp law and the mode of levying tulubana. In the Umballa district and in the districts of the Derajat Division it is accounted for by the increase in stamp duty. The Court however doubts whether that was the sole cause, as the decrease is observable not only in suits for land but also in ordinary Civil Suits, which in other districts appear not to have been affected by the enhanced rate of stamp duty.

Character of litigation.

15. The character of litigation in 1868 is shewn in Appendix II B, No. 6. From a comparison of this return with that of the previous year, and from the different results noticeable in districts apparently similarly situated as regards litigation, it would seem as if the details under some of the minor headings are not altogether correct. The Judges have reason to fear that the work of classification and compilation is left too much to the discretion of the subordinate native officials without much supervision on the part of the officers presiding in the Courts, and so long a this continues no very accurate results can be expected, more especially as the

classification of suits prescribed by the Statistical Committee differs considerably from that heretofore in force. Judicial officers are already so much overburdened with work that they can hardly be expected to supervise the preparation of statistics and returns, and the Court cannot look for much more accuracy or expect much improvement in this matter until a Clerk of Court has been appointed to each district, as recommended in my letter No. 5136, dated 8th December, 1868. It would be the duty of this officer to keep registers, prepare returns, and do other purely ministerial work which at present either devolves upon the judicial officers themselves or is entrusted to incompetent native officials. His appointment would also afford relief in a direction in which, owing to the greater attention now directed towards correct procedure and the demand for correct statistics, it is much required.

General tendency of litigation.

16. But although some of the details may not be very accurate a very fair idea can be formed of the general tendency of litigation during the past year from this return.

Suits for money due on contract.

Suits on registered and unregistered bonds.

17. Suits for money due on contract have increased largely, viz, from 90,697 in 1867 to 1,05,506 in 1868. Of these, suits on bonds formed a large proportion; but while suits on unregistered bonds have increased from 27,319 to 34,002, those on registered bonds have fallen from 8,000 to 6,708. These results are due partly to the operation of the Indian Registration Act, which makes the registration of bonds under Rs. 100 optional, and partly to the fact that from the beginning of the present year the period of limitation for suits on unregistered bonds would be reduced from 6 years under the old law to 3 years under Act XIV of 1859. In consequence, all suits of this kind which would have been barred under the operation of the new law of limitation were instituted while the old law, which allowed a longer period, was still in force.

Suits for damages and for personal property.

18. Suits for damages have fallen from 3,913 in 1867 to 3,509 in 1868, and suits for personal property or its value from 10,005 to 8,617.

Suits relating to marriage, dower, or divorce.

19. Suits relating to marriage, dower or divorce have decreased from 4,460 to 3,560. Under this head are included suits connected with betrothal, suits for custody of wives, and other suits of that class, and the falling off in institutions is no doubt due to the increased rate of stamp duty leviable upon petitions of plaint. Hitherto plaintiffs in suits for breach of betrothal contract were in the habit of fixing

their damages at a sum out of all proportion to their circumstances and station in life, and a wholesome check has been given to this class of suits by enhancing the institution stamp. Similarly, claims for the custody of wives were formerly brought on stamp paper of Rupee 1 in value, but since the introduction of the revised rates of stamp duty prescribed by Act XXVI of 1867 an institution stamp of Rs. 10 is required for such plaints.

Effect of Stamp Act in suits relating to mortgage, &c

20. The effect of the Stamp Act is also apparent in suits relating to mortgage of immoveable property, which fell from 4,035 in 1867 to 2,819 in 1868; and in claims to enforce the right of pre-emption, which fell from 1,672 to 991. Claims to inheritance are in the aggregate almost the same as in 1867, the numbers for the two years being

	1867.	1868.
Under Mahomedan Law, ...	1,024	902
„ Hindoo „	420	384
„ Other „	1,855	1,981
Total, ...	3,299	3,267

Number of suits for disposal in each district.

21. The order of the districts according to the total number of suits for disposal is as follows :—

Order in 1868.	Order in 1867	DISTRICTS.	Total on the file, including those remaining from 1867.	Disposed of in 1868.	Pending at close of 1868.	Date of oldest case pending.	Average duration in the disposal of each case
	2	Hoshiarpore, ...	16,188	13,123	3,065	27th July 1868,	15
2	1	Umritsur, ...	15,029	12,869	2,160	19th June "	21
3	3	Jullundur, ...	12,066	10,105	1,961	23rd July "	16
4	4	Lahore, ...	11,468	10,353	1,115	8th April "	14
5	5	Sealkote, ...	9,587	9,163	424	28th May "	17
6	6	Umballa, ...	7,391	7,173	218	18th June "	16
7	10	Rawul Pindee, ...	7,319	7,146	173	23rd July "	14
8	8	Peshawur, ...	6,848	6,588	260	2nd October "	12
9	7	Ferozepore, ...	6,578	6,287	291	12th " "	17
10	9	Loodiana, ...	6,242	5,940	302	7th November "	14
11	12	Delhi, ...	5,349	5,108	241	3rd January 1867,	20
12	16	Goojranwalla, ...	4,627	4,470	157	22nd October 1868,	15
13	17	Kangra, ...	4,521	4,115	406	8th August "	18
14	11	Goordaspore, ...	4,447	3,985	462	18th July "	25
15	13	Dera Ishmael Khan, ...	4,135	3,988	147	24th August "	21
16	20	Shahpore, ...	3,966	3,775	191	2nd October "	21
17	22	Goojerat, ...	3,923	3,780	143	11th October "	13
18	15	Dera Ghazee Khan, ...	3,869	3,754	115	1st February "	19
19	18	Mozuffurgurh, ...	3,728	3,591	137	14th August "	14
20	14	Bunnoo, ...	3,563	3,393	170	18th July "	14
21	19	Jhung, ...	3,531	3,401	130	24th October "	15
22	23	Mooltan, ...	3,091	2,985	106	13th August "	17
23	24	Montgomery, ...	2,717	2,667	50	10th October "	17
24	21	Jhelum, ...	2,695	2,604	91	22nd June "	18
25	25	Kurnaul, ...	2,102	2,033	69	13th August "	18
26	26	Simla, ...	1,902	1,858	44	9th September "	17
27	28	Hissar, ...	1,773	1,749	24	4th November "	15
28	27	Goorgaon, ...	1,745	1,712	33	5th " "	16
29	29	Rohtuck, ...	1,510	1,508	2	10th October "	15
30	30	Huzara, ...	952	846	106	4th July "	29
31	31	Sirsa, ...	913	908	5	26th October "	20
32	32	Kohat, ...	860	850	10	31st October "	19
		TOTAL, ...	1,64,635	1,51,827	12,808	.	17

Number disposed of and pending.

22. The number of cases for disposal, inclusive of those pending from 1867, was 1,64,635, or 13,952 in excess of the number for disposal in that year. The number of cases decided, *viz.* 1,51,827, was also much larger than in 1867. On account, however, of the rush of institutions during the month of December the pending file was much heavier than usual. The Courts however are not responsible for this result, and the Judges are glad to record that generally cases have been decided with sufficient despatch.

Average duration of cases.

23. The average duration of cases was 17 days, or one day less than in 1866 and 1867. It was above the average in the districts of—

Huzara, ... 29 days.

Goordaspore, ... 25 "

Dera Ismael Khan,			...	...	...	21	„
Shahpore,	...	...	...	...	...	21	„
Umritsur,	...	...	...	...	...	21	„
Delhi,	...	...	...	...	...	20	„
Sirsa,	...	...	...	...	...	20	„

The districts of Huzara, Goordaspore and Dera Ismael Khan also showed unfavorably in the above respect in the returns for 1867.

Duration of contested and uncontested cases.

The average duration of uncontested cases is 14 days, or 8 days lower than in 1867; whilst the average duration of contested cases has increased from 17 days in 1867 to 21 days in 1868. The average duration of cases withdrawn, transferred or struck off without trial is 17 days, the same as in the preceding year. These results are more in accordance with what might have been expected from the nature of the investigations in contested and uncontested cases than those of the previous years.

Oldest pending case

24. As in the previous year, the oldest pending case pertains to the Delhi district. It was instituted on the 3rd January 1867, and explanation was furnished with reference to it in last year's Report. Major McMahon now writes regarding it as follows:— "It involved practically the settlement of eight or nine separate suits, and the adjustment of accounts between partners extending over 25 years, without any reliable account books to refer to. The suit was referred by the parties to arbitrators, and owing to the complicated nature of the transactions involved, a long period was allowed them for decision. The award has now been given in, and the suit will be disposed of after expiry of the usual ten days' grace." In no other district was there any case pending above one year.

Agency by which suits were decided.

25. The agency by which the original Civil suits were disposed of, and the average number of suits decided by the officers of each grade is shown in the following statement.—

	Officers.	Original cases decided.		Average number of cases decided by the officers of each class.
		Number.	Per-centage.	
32	Deputy Commissioners, ...	860	0·5	27
58	Assistant Commissioners, ...	15,413	10·1	265
16	Extra Assistant Commissioners, European, ..	4,965	3·2	310
44	Do. do. do. Native, ..	16,230	10·6	368
126	Tehseeldars, ...	53,307	35·1	423
81	Naib Tehseeldars, ...	24,071	15·8	297
32	Honorary Civil Judges, ...	3,818	2·5	119
8	Judges of Small Cause Courts, ...	25,567	16 8	3,170
8	Judges of Cantonment Small Cause Courts, ...	7,577	4·9	917
	Total, ...	1,51,808	99·5	

26. The proportion of work performed by paid and by European Judges as contrasted with that disposed of by unpaid and Native Judges respectively, is precisely the same as in the preceding year.

	1867.		1868.	
By Paid Judges, ...	141,992	97·6 p. c.	147,990	97·5
„ Unpaid „	3,485	2·4 „	3,818	2·5
By European Judges, ...	52,105	35·8 „	54,382	35·8
„ Native „	93,372	64·2 „	97,426	64·2

27. The next statement shews the work disposed of by the officers of different grades, as compared with the preceding year.

	1867.		1868.	
	Number of original suits decided.	Per-centage.	Number of original suits decided.	Per-centage.
Deputy Commissioners, ...	1,288	0·8	860	0·5
Officers with full powers, ...	23,929	17·0	29,411	19·0
Officers with ordinary or special powers, ...	90,571	62·0	88,303	58·0
Judges of Small Cause Courts, ...	22,273	15·0	25,567	16·0
Judges of Cantonment Small Cause Courts,	7,416	5·0	7,577	5·0
Total, ..	1,45,477	99·8	1,51,808	98·5

28. The number of cases disposed of by Deputy Commissioners is not large, nor can it be large, especially in districts in which there is a large amount of miscellaneous and executive work. The Court is glad, however, to observe that officers with full powers took up a larger share of judicial work than in the previous year, and that there was a corresponding reduction in the number of cases disposed of by officers exercising ordinary and special powers. The restriction placed upon appeals renders it more necessary than ever that the Judges of the higher grades should take up a larger share of judicial work than has hitherto been the case.

Increase in the number of cases disposed of by officers of higher grades.

29. The Judges would also be glad to see a more equal distribution of work among the Tehseel and Sudder Courts of some districts than appears from the following statement to have been the case—

Distribution of work between Sudder and Tehseel Courts.

DISTRICTS.	Head Quarters Officers.		Tehseeldars and Naib Tehseeldars.		Honorary Civil Judges.		Judges of Small Cause Courts.	
	Number of cases disposed of.	Per-centage of total disposed of.	Number of cases disposed of.	Per-centage of total disposed of.	Number of cases disposed of.	Per-centage of total disposed of.	Number of cases disposed of.	Per-centage of total disposed of.
Delhi, ...	885	17·3	1,062	20·7	...	...	3,161	61 7
Goorgaon, ...	813	47·4	876	51·1	23	1·3	...	...
Kurnaul, ...	554	27·2	1,414	69·5	65	3·1	...	...
Hissar, ...	318	18·1	1,431	81·8	...	...	...	...
Rohtuck, ...	439	29·1	1,069	70 8	...	...	...	...
Sirsa, ...	310	34·1	598	65·8	...	...	...	...
Umballa, ...	2,076	28 9	3,165	44 1	568	7 9	1,364	19 1
Loodiana, ...	1,269	21·3	1,820	30 6	216	3·6	2,635	44 6
Simla, ...	605	32 5	125	6·7	...	...	1,128	60·7
Jullundhur, ...	1,918	18·9	4,353	43·	...	...	3,834	37·9
Hoshiarpore, ...	3,082	23 5	6,185	47·2	...	...	3,837	29 2
Kangra, ...	902	21·9	3,012	73·1	201	4·8	...	...
Umritsur, ...	2,495	19·3	5,404	41·2	540	4·1	4,430	34·4
Goordaspore, ...	1,539	38 6	2,446	61·3	...	...	...	...
Sealkote, ...	1,939	21·1	6,275	68 4	7	·07	942	10·2
Lahore, ...	2,070	20·	2,381	22·9	293	2·8	5,609	53·2
Goojranwalla, ...	601	13 4	3,033	67·8	836	18·7	...	...
Ferozepore, ...	1,605	25 5	3,893	61·9	19	·3	770	12·3
Rawul Pindee, ...	2,664	37·2	3,320	46·4	11	·1	1,151	16·1
Jhelum, ...	707	27·1	1,897	72 8	...	...	...	...
Goojrat, ...	1,006	26·6	2,774	73 3	...	...	...	...
Shahpore, ...	1,783	47·2	1,992	52·7	...	...	...	...
Bunnoo, ...	709	20 8	2,684	79·1	...	...	...	...
Dera Ishmail Khan, ...	1,413	35·4	2,178	54·6	397	9 9	...	...
Dera Ghazee Khan, ...	678	18 0	2,556	68 0	520	13·8	...	...
Mooltan, ...	601	23 1	1,709	57·2	...	...	585	19 6
Jhung, ...	1,008	29 6	2,393	70·3	...	...	...	...
Montgomery, ...	440	16·4	2,227	83·5	...	...	...	...
Mozuffurgurh, ...	993	27·6	2,598	72·3	...	...	...	...
Peshawur, ...	1,222	18 5	1,662	25·2	6	·09	3,698	56·1
Huzara, ...	488	55 3	378	44·6	...	...	...	...
Kohat, ...	246	28·9	478	56·2	126	14·8	...	...
Total, ...	37,448	24·6	77,388	50 9	3,828	2·5	33,144	21·9

30. It is possible that the instructions issued by the Chief Court to Deputy Commissioners, so to distribute the work among their subordinate Courts that only cases of the nature cognizable by Courts of Small Causes and not exceeding Rs. 50 in value be heard by Naib Tehseeldars, have tended to reduce the number of cases tried by these officers. They certainly, as will be seen further on, have had an effect in reducing the number of appeals to Deputy Commissioners, and so far the instructions have been beneficial.

Effect of instructions issued by the Chief Court.

31. The following table shows the manner in which cases were disposed of in 1868, as compared with the three previous years :—

Manner in which cases were disposed of.

Years	By decision on the merits					Ex parte	On confession.	By arbitration.	Non-suited.	Dismissed on default	Adjusted & withdrawn	Transferred	Total.
	In favor of Plaintiffs			In favor of defendant	Total								
	In whole	In part	Total										
1868													
Number of suits,	19,961	14,233	34,194	16,030	50,224	8,136	37,069	6,160		20,803	29,304	131	151,827
Per-centage, ...	13 2	9 3	22 5	10 5	33 0	5 3	24 4	4 0	..	13 6	19 3	0 08	99 6
1867.													
Number of suits,	20,126	15,307	35,433	17,425	52,858	6,597	32,529	7,225	997	19,034	26,217	220	145,677
Per-centage,	13 8	10 5	24 3	11 9	36 2	4 5	22 3	4 9	0 6	13 0	18 0	0 5	100
1866.													
Per-centage, .	14 3	10 9	25 2	13 1	38 3	2 7	22 7	6 7	1 2	9 7	18 6	0 1	100
1865.													
Per-centage, ..	13 8	10 9	24 7	12 7	37 4	2 2	25 0	7 4	1 3	8 0	18 3	0 4	100

32. The proportion of cases decided on their merits and by arbitration has gradually decreased since 1866, while the cases decided *ex parte* and dismissed on default have proportionately increased since that year. These results are attributed to the change in procedure introduced by Act VIII of 1859. The returns of the years 1865 and 1866, when the Punjab Civil Code was in force, closely resemble each other as regards results, but differ considerably from those of 1867 and 1868, in which years the procedure was in accordance with Act VIII of 1859. The increase in *ex parte* decisions and dismissals on default, although chiefly apparent since the introduction of the Code of Civil Procedure, ought not to be attributed

Comparison with previous years.

to the stringent provisions of the Code, but rather to the officers who work it. Its provisions are more intelligible than, and quite as elastic as, those of the Punjab Civil Code, which it superseded, and in the hands of careful officers it can be worked with as little hardship to suitors.

Cases withdrawn, transferred or struck off without trial.

33. The results of the years 1867 and 1868 do not differ very materially from each other, as will appear from the following remarks:—Of the total number of cases disposed of, 34,025 or 22 per cent, were withdrawn, transferred or struck off without trial; and in 117,802 or 78 per cent, decrees were given in favour of plaintiff or defendant. These per-centages are the same as in 1867.

Contested and uncontested cases.

34. Of the 117,802 cases in which decrees passed, 67,578 or 57 per cent were decided without contest in Court—that is either by confession, compromise, or *ex parte*; and 50,224 or 42 per cent were contested cases, tried and decided on their merits. The proportion of cases decided on their merits is 3·2 per cent less than in the year 1867. It was above the average in the districts of—

		Total number of cases disposed of.	*No. of cases decided on merits.*	*Per-centage of cases decided on merits.*
Bunnoo,	...	3,393	1,929	57
Jhelum,	...	2,604	1,169	44
Kangra,	...	4,115	1,670	40
Peshawur,	...	6,588	2,672	40
Hoshiarpore,	...	13,123	5,153	39
Umballa,	...	7,173	2,763	38
Goojrat,	...	3,780	1,445	38
Kohat,	...	850	323	38
Goordaspore,	...	3,985	1,498	37
Goojranwalla,	...	4,470	1,660	37
Umritsur,	...	12,869	4,699	36
Rhotuk,	...	1,508	532	35
Rawul Pindee,	...	7,146	2,569	35
Sirsa,	...	908	311	34

Cases decided on their merits.

35. Of cases decided on their merits, 34,194 or 68 per cent were in favour of plaintiffs in part or in whole, and 16,030 or 32 per cent in favour of defendants. In the preceding year, the proportions were 67 and 33 per cent respectively. The per-centage of cases

decided in favour of plaintiffs was above the average in the districts of—

Simla,	...	76 per cent.	Jhung,	...	73 per cent.
Umritsur,	...	76 „ „	Montgomery,	...	71 „ „
Sealkote,	...	76 „ „	Huzara,	...	71 „ „
Dera Gazee Khan,		76 „ „	Kangra,	...	70 „ „
Goojranwalla,		75 „ „	Lahore,	...	70 „ „
Peshawur,		75 „ „	Goojrat,	...	70 „ „
Goorgaon,		74 „ „	Dera Ishmael Khan,		70 „ „

Cases decided ex parte.

36. The number of cases decided *ex parte* has increased from 6,597 in 1867 to 8,136 in 1868, or from 4·5 per cent of the whole to 5 3 per cent. In 1867 there was also an increase of 2 per cent as compared with the year 1866, and the tendency is for these decisions to increase. This and the different results under the Code of Civil Procedure and the Punjab Civil Code, noticed in para 32, is not, in the opinion of the Judges, altogether creditable to the judgment of the Courts in working the Code. Officers should not rest satisfied with the endorsement of the Nazir on the summons that a defendant has been duly served, but they should before proceeding to decide a case *ex parte* examine the peon, as a witness, as to the mode in which he served the summons, and ascertain whether it was served in sufficient time to enable the defendant to appear on the date fixed for hearing.

Cases decided on confession.

37. Cases decided on confession of judgment have also increased by 2 per cent compared with the previous year. The number of such cases in 1868, was 37,060 or 24·4 per cent of the whole number decided. The number does not appear to have been affected by the introduction of the Code of Civil Procedure, as in 1865 the proportion of cases decided on confession was 25 per cent of the whole.

Cases decided by compromise or consent.

38. The number of cases decided by compromise or consent was 16,213 to 13,897 in 1867. The per-centages for the two years were 10 and 9·5 respectively.

Cases decided by arbitration.

39. The returns of the past year shew a further decrease in the number of cases referred to arbitration, and a still further decrease may be expected for the reasons assigned in the reports of the two preceding years. The number and proportion of cases decided by arbitration during the past four years were as follows :—

			No.	Per cent.
1865,	...	...	10,263	7·4
1866,	...	...	11,210	6·7
1867,	...	...	7,225	4·9
1868,	...	...	6,160	4·0

The proportion of suits referred to arbitration varied from 1·7 per cent in the Delhi district to 7·4 in the Dera Ghazee Khan district. Out of the 6,228 cases referred, only 56 awards were set aside on the ground of corruption or misconduct.

Cases dismissed on default.

40. No improvement is visible in the proportion of cases dismissed on default. It continues at 13 per cent, the same as in the previous year. The districts which shew worst in this respect will appear from the following statement:—

No.	Districts.	Total No. disposed of.	No. of cases dismissed on default.	Per-centage of cases dismissed on default.
1	Rohtuck, ...	1,598	65	4
2	Delhi, ...	5,706	376	7
3	Bunnoo, ...	3,393	280	8
4	Kohat, ...	850	68	8
5	Kurnaul, ...	2,033	202	9
6	Hissar, ...	1,749	162	9
7	Loodiana, ...	5,940	572	9
8	Simla, ...	1,858	178	9
9	Hoshiarpore, ...	13,123	1,206	9
10	Kangra, ...	4,115	390	9
11	Dera Ishmael Khan, ...	3,988	422	10
12	Peshawur, ...	6,588	717	10
13	Goorgaon, ...	1,712	203	11
14	Lahore, ...	10,353	1,196	11
15	Goojrat, ...	3,780	442	11
16	Dera Ghazee Khan, ...	3,754	414	11
17	Umballa, ...	7,173	925	12
18	Sirsa, ...	908	119	13
19	Rawul Pindee, ...	7,146	1,004	14
20	Sealkote, ...	9,163	1,412	15
21	Ferozepore, ...	6,267	982	15
22	Jhelum, ...	2,604	406	15
23	Huzara, ...	846	133	15
24	Mooltan, ...	2,985	497	16
25	Montgomery, ...	2,667	446	16
26	Goojranwalla, ...	4,470	793	17
27	Jullundur, ...	10,105	1,718	17
28	Umritsur, ...	12,860	2,325	18
29	Mozuffurgurh, ...	3,691	671	18
30	Jhung, ...	3,401	669	19
31	Shahpore, ...	3,775	820	21
32	Goordaspore, ...	3,985	990	22
		1,51,827	20,803	13

Large proportion not satisfactory.

41. The first twelve districts in the list also stood highest in the similar return for last year, but the Court is not satisfied with the large proportion of dismissals in the other districts especially Shahpore and Goordaspore, which shew an increase from 16 per cent

in 1867 to 21 and 22 per cent respectively. Jhung, Mozuffurgurh and Umritsur stand very low in the list, as in the previous year, although there is a slight improvement as regards Umritsur.

Cause of large number explained.

42. It is probable, although there are no statistics to show that such was the case, that in a large number of cases struck off on default some compromise had been effected by the parties out of Court. That this does not altogether account for the large proportion of dismissals is evident from the differences in results noticed in the Courts of different districts, and even in the Courts of the same district. An examination of a large number of files, too, has satisfied the Court that many cases are improperly dismissed by reason of the parties being imperfectly informed of the dates on which their cases are to be brought forward for hearing.

Preparation of cause lists.

43. Some misapprehension appears to exist in certain districts as to the preparation and use of cause lists. Some officers report that cause lists are prepared daily in each Court, meaning, apparently, that a list of cases is prepared on the day fixed for their hearing. A list so prepared is of no practical value. Cause lists should be prepared so as to show in advance the date on which each case in the register of Civil suits has been set down for hearing, and these lists should be exhibited in some conspicuous place in the Court-house verandah. If cases are struck off the list as soon as they have been decided, and new ones brought on as soon as dates have been fixed, the list would not require to be renewed oftener than once or twice a month.

Value and costs of suits.

44. The aggregate and average value and costs of suits disposed of in 1868 is shown in the following statement :—

Value.			Number of original suits disposed of.	Aggregate value of suits.	Aggregate cost of suits.	Average value of each suit.	Average cost of each suit.	Per-centage of costs to value.
Not exceeding rupees		5	15,239	50,335	20,891	3·30	1·37	41·50
Ditto,	Do.	20	68,318	810,100	139,400	11·85	2·04	17·20
Ditto,	Do.	100	54,918	25,47,170	368,861	46·38	6·71	14·48
Ditto,	Do.	500	11,849	23,28,310	308,609	196·49	26·04	13·28
Ditto,	Do.	5,000	1,286	16,58,543	157,147	1,289·89	122·19	9·47
Ditto,	Do.	1,00,000	71	579,944	30,280	8,168·22	426·47	5·22
Above	Do.	1,00,000	3	455,410	4,644	151,803·33	1548·	1·01
	Total,	..	1,51,684	84,29,812	10,29,832	55·57	6·78	12·21

45. The aggregate value of suits has increased as compared with the previous year, but it has not increased in the same ratio as decided cases. Thus the number of original suits decided was 4 per cent higher in 1868 than in 1867, while the aggregate value of suits disposed of was only 2 per cent higher.

Increase in aggregate value.

46. The average value of each suit was Rs. 55-8-0, which is slightly lower than in the previous year, when it was 56 rupees. The average value of ordinary Civil suits has fallen from Rs. 63 in 1867 to Rs. 57 in 1868, while the average value of suits for land has increased from Rs. 35 to Rs. 50.

Decrease in average value.

47. The aggregate costs of suits has increased 21 per cent, as compared with the previous year. Various causes have tended to bring about this result, especially the increase in the rates of stamp duty and tulubana fees, the practice of paying into Court the expenses of a witness before a summons is issued for his attendance, and the more general employment of pleaders and mookhtars.

Increase in aggregate costs.

48. The average cost of each suit was Rs. 6-12-0, and the per-centage of costs to value was 12·21. Both of these are higher than in the preceding year. The per-centage varied from 7 in the Lahore district and 8 in the Delhi district to 16 in the Hoshiarpore and Shahpore districts. The average value was highest in the districts of Delhi (193 rupees) and Lahore (104 rupees), and lowest in the districts of Simla (13 rupees), Kohat, Dera Ghazee Khan and Kangra (33 rupees each)

Average cost of each suit.

SMALL CAUSE COURTS.

A.—District Small Cause Courts.

49. In the foregoing remarks the cases instituted and disposed of in Small Cause Courts have been included, and it is now proposed to view the working of these Courts separately. As stated in the earlier part of this report, a large increase has occurred in the number of suits instituted in the several District Small Cause Courts. This will appear from the subjoined statement, which also shews the number of cases decided and pending and the average duration &c. in each Court.

Increase in number of institutions.

Court.	Number of cases for disposal.			Number of cases disposed of during 1868.	Number of cases pending at close of 1868.	Date of oldest case pending	Average duration of each case.	Number of applications for re-trial.	Number of re-trials granted during the year.	Average number of hearings in each case.
	Pending at end of 1867.	Instituted and received by transfer in 1868	Total.							
Delhi, ...	43	3,181	3,224	3,161	63	30th Novr. 1868.	4	52	30	3
Simla, ...	12	1,118	1,130	1,128	2	4th Novr. „	14	19	16	2
Loodiana, ...	84	2,747	2,831	2,635	196	7th Novr. „	14	226	93	2
Jullundhur, ...	62	3,954	4,016	3,180	836	20th Novr. „	6	311	291	1·5
Hoshiarpore, ...	43	3,972	4,015	3,837	178	5th Decr. „	7	328	136	2
Umritsur, ...	126	4,539	4,665	4,430	235	8th Decr. „	13	491	69	1
Lahore,... ...	251	4,803	5,054	4,352	702	15th Decr. „	12	271	84	1
Peshawur, ...	33	2,848	2,881	2,844	37	1st Decr. „	6	134	38	3
Total, 1868,	654	27,162	27,816	25,567	2,249	...	9	1,832	758	2
Total, 1867,	279	22,683	22,962	22,308	654	...	9	1,653	971	2·4

Institutions largely in excess of previous years.

50. Notwithstanding that the local jurisdiction of some of the Courts has been curtailed during the last few years, the number of institutions in 1868 was larger than in any former year since the establishment of these Courts. The increase during the past year has been very general, having occurred in all the Courts except the Simla one—in which there was a falling off of 162 cases. Captain Gurdon, Judge of this Court, says that he can assign no reason for this decrease, except that the society and inhabitants of Simla are most of them ever-changing, and litigation more or less cannot fail to fluctuate, and this is probably the correct explanation.

Proportionate increase in each Court.

51. In Loodiana Small Cause Court the increase was small, only 24 cases, but in the Delhi Court it amounted to 13 per cent, in the Peshawur Court to 15 per cent, in the Jullundur Court to 18 per cent, in the Lahore Court to 25 per cent, in the Umritsur Court to 31 per cent, and in the Hoshyarpore Court to 41 per cent. The increase is attributed to the prospective change in the law of limitation. The officers presiding in these Courts all agree in thinking that the Stamp Act has had no effect in checking litigation.

Cause of increase.

52. Including 654 pending cases, there were in all 27,816 cases for disposal, of which 25,567 or 92 per cent were decided during the year. Owing to the great influx of suits on the last few days of the year, the pending file was unavoidably large—especially in the Lahore and Jullundur Courts. Mr. Powell, Judge of the Lahore Court, writes that on the 24th December, 276 plaints were filed, and including the two previous days files 530 of the 702 suits pending were instituted within the last three days of the year. In the Jullundur Court Mr. Penn states that 700 plaints were filed during the last ten days of December 1868, based almost entirely on bonds of more than three years standing, which would have been barred after the 1st January 1869, under the new law of limitation which came into operation from that date. In the remaining Courts the pending cases were not numerous in proportion to the number of cases for disposal.

Pending cases.

53. The average duration of suits was the same as in 1867, viz. 9 days. It varied from 4 days in the Delhi Court to 14 days in the Simla and Loodiana Courts. The delay in the Simla Court is attributed to the troublesome character of the work, and to the fact that a large proportion of the litigants are Europeans; and in the Loodiana Court to the illness of the late Mr. Westropp, who presided in the Court for a portion of the year. The average duration appears also high in the Lahore and Umritsur Courts (12 and 13 days respectively), but in these Courts the number of daily institutions is large and the press of work requires that distant dates should be fixed for hearing.

Average duration

54. No case was pending in any of the Courts above two months. The date of the oldest pending case was 4th November 1868.

Date of oldest case.

55. The character of the litigation in each of the District Courts of Small Causes is shown in detail in the next statement:—

Character of the litigation

	Delhi.	Simla.	Loodiana.	Jullundur.	Hoshiarpore.	Umritsur.	Lahore.	Peshawur.
I. For money due on contract:—								
1. On written obligation for sum certain (bond).								
a. Registered, ...	88	25	78	138	316	179	64	122
b. Unregistered, ...	937	177	1,019	1,954	2,026	1,375	1,754	802
2. On unwritten obligation for sum certain (simple debt), ...	697	90	481	672	521	1,759	397	369
3. For account stated, ...	706	225	411	110	187	699	438	424
4. Money paid or received, ...	74	33	3	692	65	8	288	100
5. Goods sold, ...	395	360	527	42	80	258	1,040	290
6. For breaches of contract not included in above, ...	16	150	1	...	159	14	533	460
II. For rent, ...	115	39	39	32	33	93	109	89
III. For personal property or its value, ...	146	8	61	201	453	27	142	180
IV. For damages, ...	...	...	...	...	...	...	...	...
1. For injuries to the person, attended with direct or actual pecuniary damage, ...	...	...	13	...	...	10	3	...
2. For injuries to property, ...	7	...	94	113	14	8	32	4
3. For other injuries not included in above, ...	...	11	...	...	118	9	3	3
TOTAL, ...	3,181	1,118	2,747	3,954	3,972	4,539	4,803	2,848

Diversity in mode of classification.

56. There appears to be a diversity of practice in the different Courts in the mode of classifying suits falling under the sub-heads of "suits for money due on contract," which might be easily avoided if the plan adopted in the Lahore Small Cause Court were more generally followed. Mr. Powell writes that at the time of deciding the case he causes the reader to write plainly on the outside of the misl the proper head under which it should be counted, using a letter for the main division and a number for the subordinate headings, thus the compiler of the returns at once can classify the suits without the exercise of his own discretion. Mr. Powell has also pointed out how the classification might be improved in some respects.

In what classes of suits increase has occurred.

57. It will appear from the following statement that there has been an increase in the several classes of suits cognizable by Courts of Small Causes, as compared with the previous year:—

	1867.	1868.	Increase. No.	Increase. Per cent.
For money due on contract,	19,782	24,828	5046	25
For rent, ...	422	549	127	30
For personal property or its value,	1,183	1,338	155	13
For damages, ...	359	447	88	24

Suits on bond

58. Suits on registered bonds have slightly decreased, whilst suits on unregistered bonds have largely increased; this is partly due to the operation of the Registration Act, and partly to the necessity of suing on all unregistered bonds before the expiry of the old law of limitation.

Manner in which cases were disposed of.

59. The manner in which the cases were disposed of in the several District Small Cause Courts is shewn in the following statement. For the purpose of comparison the returns of the Ordinary District Courts and of Cantonment Small Cause Courts are also added.

	Per-centage of cases decided on the merits.					Per-centage of cases decided.								Re-trials.	
	In favour of plaintiff.			In favour of defendant.	Total.	Ex parte.	On confession.	By arbitration.	Dismissed on default.	Adjusted or withdrawn.	By compromise and consent.	Transferred.	Total.	Number.	Per-centage of total disposed of.
	In whole.	In part.	Total.												
Delhi, ...	9·6	5·6	15·2	7·7	22·9	5·3	33·5	1·2	5·0	20·7	11·2	...	99·8	28	0·8
Simla, ...	17·9	3·1	26·0	8·6	34·6	23·5	25·9	2·7	7·1	...	5·8	...	99·6	16	1·4
Loodiana, ...	13·7	8·4	22·1	9·2	31·3	2·9	25·0	3·4	6·8	1·5	28·7	...	99·6	91	3·4
Jullundur, ...	5·4	6·2	11·6	14·4	26·0	2·7	22·8	5·5	24·4	13·5	4·8	...	99·7	291	9·1
Hoshiarpoor, ...	18·1	12·0	30·1	15·9	46·0	2·9	17·3	3·1	4·9	18·6	6·8	...	99·6	132	3·4
Umritsur, ...	9·5	11·3	20·8	11·1	31·9	6·7	23·9	2·8	15·9	1·2	17·2	...	99·6	69	1·5
Lahore, ...	11·4	9·8	21·2	10·1	31·3	11·3	19·8	0·6	6·8	0·2	29·9	...	99·9	81	1·8
Peshawur, ...	15·0	16·1	31·1	10·2	41·3	2·9	27·7	1·6	3·3	2·1	20·6	...	99·5	42	1·4
Total District Small Cause Courts, ...	12·1	9·9	22·0	11·2	33·2	6·2	23·[illegible]	2·5	9·7	7·7	16·6	...	99·7	750	2·9
Total Ordinary Civil Courts, ...	13·4	9·3	22·7	10·5	33·2	4·6	23·9	4·3	14·8	8·8	9·8	0·1	99·5	...	...
Total Cantonment Small Cause Courts, ...	11·8	8·4	20·2	8·2	28·4	14·0	33·2	4·7	8·8	7·6	3·0	...	99·7	...	...

Comparison of results with those of previous year.

60. Looking at the general result it may be observed that the manner in which the cases were disposed of in the District Small Cause Courts during the year 1868 does not differ materially from that of the preceding year, except in the following particulars. The number of cases decided on their merits has decreased from 37 to 33 per cent, and cases decided by compromise and consent have increased from 13 to 16 per cent. The proportion of *ex parte* decisions in 1867 is one per cent higher, while that of references to arbitration is 0·7 per cent lower than in 1867. The per-centage of cases dismissed on default is 9 7 per cent, the same as in the previous year.

Comparison of results of different Small Cause Courts.

Jullundur & Hoshiarpore.

61. The results however in the several Courts differ very considerably among themselves. Thus, to take the returns of the Courts in the adjacent districts of Jullundur and Hoshiarpore, it appears that in the former Court only 11 per cent and in the latter 30 per cent of the cases were decided on their merits in favour of plaintiffs; in the Jullundur Court 25 per cent of cases were dismissed on default, while in the Hoshiarpore Court the number did not exceed 5 per cent; and the proportion of cases referred to arbitration in the former Court was 5·5 per cent, and in the latter only 3 per cent. All this confirms what has been stated in an earlier part of this report, that it is not the difference between the Punjab Civil Code and the Code of Civil Procedure in reality which causes unfavourable statistics, but the difference in the way in which different officers work the Code of Civil Procedure.

Lahore and Umritsur.

62. Again, in the Lahore and Umritsur Courts, although the proportion of decisions on the merits is almost the same, the per-centage of cases decided *ex parte* in the Lahore Court was 11·3, and in the Umritsur Court 6·7, while in the former only 6·8 per cent of the cases disposed of were dismissed on default and in the latter 15·7. In the Lahore Court 30 per cent of the cases were decided by compromise or consent, and only 17 per cent in the Umritsur Court.

Simla Court.

63. 23 per cent of cases were decided *ex parte* in the Simla Court, and no cases are shewn as adjusted or withdrawn, while the averages of all the Courts under these heads are, exclusive of Simla, 5 and 8 per cent respectively.

Comparison of results with those of Ordinary Civil Courts.

64. Comparing the results of Small Cause Courts with those of the Ordinary District Courts, it appears that the proportion of cases decided on their merits was the same, but that cases decided by arbitration and dismissed on default were proportionately more numerous in the District than in the Small Cause Courts, while decrees *ex parte* were somewhat less in the former than in the latter. The proportion of cases compromised in Small Cause Courts was 16·6 per cent, and in District Courts only 9·8 per cent. These statistics are generally what might be expected.

Dismissals on default.

Cause of large proportion in Jullundur Court.

65. The dismissals on default still continue large in the Jullundur and Umritsur Courts, viz. 24 and 15 7 per cent respectively. In the Jullundur Court the large number is no doubt chiefly due, as admitted by the Judge, to laxity in admitting applications by plaintiffs to set aside judgments passed against them by default, without giving notice to the opposite party, and without calling upon the plaintiff to shew sufficient cause for not appearing on the day fixed for hearing.

Explanation of large proportion in the Umritsur Court.

66. With reference to the large proportion of dismissals in the Umritsur Court, Mr. Ryall writes that "the Court is not to blame for it, as by far the greater portion of dismissals on default were, where neither plaintiff nor defendant appeared, and it cannot be said that the plaintiffs could not have known the dates fixed for the hearing of their cases, for care is taken that every plaintiff on instituting his suit gets a memo, on which the number of the suit, the names of the parties, and the date fixed for hearing are entered. I believe that the majority of these suits are compromised out of Court, and as they are for small sums parties do not care to come to Court to have the terms of their compromise recorded." The Court observes from the statements for the quarter ending 30th June 1869, that the dismissals in this Court have now been reduced to 10 per cent.

Applications for re-trial

67. The next statement shews the number of applications for re-trial and the manner in which they were disposed of; and also the number of cases referred to the Chief Court for rulings on points of law under Section 22 of Act XI of 1865, and Section 1 of Act X of 1867.

Courts.	APPLICATIONS.						MANNER IN WHICH DISPOSED OF.								NUMBER OF CASES REFERRED TO THE CHIEF COURT UNDER SECTIONS 22 AND 23 ACT XI OF 1865 AND ACT X OF 1867.			
	Pending at close of 1867.		Presented during 1868.		Total for disposal.		Applications struck off or rejected without being registered for trial.		APPLICATIONS ADMITTED FOR TRIAL.						By Court on its own motion.	At the instance of the plaintiff.	At the instance of the defendant.	Total.
									Cases in which former judgment was maintained.		Cases in which former judgment was reversed or modified.		Cases pending at close of 1868.					
	By Pltff	By Defdt	By Pltff.	By Defdt	By Pltff.	By Defdt.	By Pltff	By Defdt.	By Pltff.	By Defdt.	By Pltff.	By Defdt.	By Pltff.	By Defdt				
Delhi, ...	3	...	31	18	34	18	16	6	11	9	5	3	2	...	1	1	...	2
Loodiana, ...	3	...	154	69	157	69	87	46	18	14	50	9	2	...	...	...	...	...
Simla, ...	...	...	12	7	12	7	2	1	3	2	7	4	...	...	5	...	...	5
Jullundur, ...	12	4	215	80	227	84	13	7	144	46	70	31	...	...	3	2	4	9
Hooshiarpore, ...	6	...	244	78	250	78	145	47	44	11	60	17	1	3	...	...	...	...
Umritsur, ...	1	2	287	201	288	203	253	169	8	12	27	22	...	...	2	...	...	2
Lahore, ...	3	2	173	94	176	96	127	60	29	25	19	8	1	3	3	...	...	3
Peshawur, ...	2	2	65	65	67	67	49	36	13	17	5	4	...	10	5	...	...	5
Total, 1868	30	10	1,181	612	1,211	622	692	372	270	146	243	98	6	16	19	3	4	26
Total, 1867	25	13	1,147	506	1,172	519	536	213	363	170	242	126	30	10	15	1	3	19

68. Applications for re-trial are more numerous than in 1867, on account of the larger number of suits decided, but the proportion of applications to cases disposed of is somewhat less than in the previous year. 58 per cent. of the applications were summarily rejected without being brought on the register. Of those admitted, in 55 per cent. the former judgment was maintained, and in 45 per cent. it was modified or reversed.

Increase in applications

How disposed of

69. The returns, however, of the Jullundur Small Cause Court shew that Mr. Penn's manner of dealing with these applications varied considerably from that of the Judges of the other Courts. Out of 311 applications the Jullundur Court admitted 93 per cent., while the other Courts on an average only admitted 30 per cent. In a large number of cases which recently came before the Chief Court in the exercise of its powers of supervision, under Section 16 of Act IV of 1866, the Judges observed that it was Mr. Penn's practice after deciding a case to grant a new trial on the suggestion of the defeated party that arbitrators should be appointed, and without reference to the correctness or incorrectness of his previous decision. As a new trial must be granted on the Judge's responsibility, and without reference to the circumstance that the parties may afterwards resort to arbitration, the course adopted by Mr. Penn was altogether unwarranted. The Court has issued instructions which will prevent such irregularities in future.

70. 26 cases were referred to the Chief Court for rulings on points of law under Section 22 of Act XI of 1865 and Act X of 1867. The Judges of the Loodiana and Hoshiarpore Courts made no references under these Sections during the year. The Chief Court regards it as a good sign for the working of a Court of Small Causes when such cases are referred, as there is enough business in all these Courts to render it certain that difficult points of law sometimes occur.

References to Chief Court for rulings

71. The next statement exhibits the value and costs of suits disposed of in Small Cause Courts during the past year.

Value and costs of suits.

Classification according to value.	Number of cases.	Aggregate value of suits.			Aggregate cost of suits.			Average. Value of suits.			Average. Cost of suits.			Per-centage of costs to value.		
Rupees 1 to 5, ...	2,203	7,821	10	3	3,183	13	...	3	7	9	1	6	9	40	1	...
" 5 to 10, ...	6,141	49,583	3	3	9,139	15	...	8	1	2	1	7	9	18	7	...
" 10 to 20, ...	6,059	90,210	13	9	15,353	15	...	15	14	1	2	3	4	15	14	10
" 20 to 50, ...	6,823	2,19,809	3	...	33,476	3	...	32	5	9	4	14	3	15	4	..
" 50 to 100, ...	2,620	1,77,856	14	3	26,524	2	..	69	6	8	10	1	9	14	14	7
" 100 to 500, ...	1,660	3,28,851	6	10	41,323	9	...	198	1	8	24	14	3	12	8	9
Total, 1868, ...	25,566	8,82,133	3	4	1,28,951	9	...	34	5	9	5	...	9	14	9	6
Total, 1867, ...	22,253	7,45,905	9	9	99,638	10	1	33	8	4	4	7	6	13	5	8

The largest proportion of suits is for sums between Rs. 20 and Rs. 50, the same as in the previous year.

Increase in aggregate value and aggregate costs.

72. While the number of disposals has increased by 10 per cent, the aggregate value has increased by 18 per cent, and the aggregate costs by 30 per cent. The average value of each suit was Rs. 34-5-9, the average cost Rs. 5, and the per-centage of costs to value 14·5 per cent. These are all slightly higher than in the preceding year.

Value and costs in each Court.

73. The returns of the several District Small Cause Courts give the following results :—

Courts.	Number of Suits.	Aggregate. Value of Suits.	Aggregate. Cost of Suits.	Average. Value of Suits.	Average. Cost of Suits.	Per-centage of costs to value.
Delhi, ...	3,161	1,02,612·62	13,920·81	32·44	4·40	13·56
Loodiana, ...	2,635	88,054	13,347·25	33·76	5·06	15·05
Simla, ...	1,128	37,379·74	4,935·94	33·13	4·37	13·19
Jullundur, ...	3,180	1,20,300·19	19,619·81	37·87	6·16	16·31
Hoshiarpoor, ...	3,837	1,27,752·44	22,343·87	35.90	5·75	17·50
Umritsur, ...	4,429	1,74,600·31	22,365·18	39·38	5·05	12·80
Lahore, ...	4,352	1,23,497·00	18,563·31	28·38	4·26	15·03
Peshawur, ...	2,844	1,07,380·76	13,825·75	37·73	4·86	12·88
Total, 1868, ...	25,566	8,82,133·21	1,28,951·56	34·36	5·05	14·59
Total, 1867, ...	22,253	7,45,905·57	99,638·03	33·52	4·47	13·36

74. The income and expenditure of the different Courts and the net profit or loss as regards each Court is shown in the following statement :—

Statement of income and expenditure.

Court.	Aggregate value of stamps filed, tulubana fees, and other income.			Amount of stamp refunded in cases adjusted by compromise.			Nett total income.			Expenditure of every kind, including the salary of the Judge and his establishment.			Nett profit.			Nett loss.		
Delhi, ...	17,956	5	0	839	0	0	17,116	15	0	13,301	4	0	3,815	10	6	...	...	..
Loodiana, ...	16,769	1	0	892	0	0	15,877	1	0	12,998	7	9	2,878	9	3	...	...	...
Simla, ...	5,661	12	0	82	12	0	5,579	0	0	12,906	1	5	...	...	.	7,327	1	5
Jullundur, ...	25,059	0	0	604	8	0	24,455	1	0	16,804	0	0	7,650	8	0	...	.	..
Hoshiarpoor, ...	20,549	1	0	846	3	0	19,702	14	0	16,846	2	1	2,856	11	11	...	.	..
Umritsur, ...	28,091	2	0	1,060	6	0	22,930	12	0	18,620	5	10	9,310	6	2	...	...	..
Lahore, ...	21,508	3	0	1,846	8	0	20,161	11	0	15,121	12	6	5,039	14	6	...	...	..
Peshawur, ...	16,126	7	0	846	0	0	15,280	7	0	8,859	5	4	6,421	1	8	...	..	..
Total, ...	1,47,621	8	0	6,517	11	0	1,41,103	13	0	1,10,458	0	5	37,972	14	0	7,327	1	5

75. The aggregate income of all the Courts arising from institution stamps, tulubana fees and other sources is largely in excess of the income of any previous year. After deducting the salaries of establishments, including the pay of the Judges, and all miscellaneous expenditure, there is a net profit of Rs. 30,645. The only Court in which the outlay exceeded the income was the Simla one, and the Judge of that Court for a portion of the year performs also the duties of an Assistant Commissioner.

Income largely in excess of the expenditure.

B.—Cantonment Small Cause Courts.

76. A slight increase of 58 cases occurred in the number of institutions in the Cantonment Small Cause Courts, as compared with the number instituted in 1867. Including those remaining from the previous year, there were in all 7,615 cases for disposal, of which 7,577 were disposed of during the year in the following manner :—

Number instituted and how disposed of.

578 or 7·6 per cent were adjusted or withdrawn.
667 „ 8·8 „ „ dismissed on default.

1,067	or	14·0	per cent.	were	decided *ex parte*.
2,519	„	33·2	„	„	decided by confession.
228	„	3·0	„	„	decided by compromise.
357	„	4·7	„	„	decided by arbitration.
1,535	„	20·0	„	„	in favour of plaintiffs.
626	„	8·2	„	„	in favour of defendants.

Pending cases.

77. Only 29 cases were pending at the close of the year, all of which were of recent date, except one instituted in the Umballa Court on the 10th October 1868. The case had been referred to arbitrators, who had not given in their decision before the end of the year.

Average duration.

78. The average duration of Cantonment cases was only 5 days, or 5 days less than in 1867. In last year's Report the average duration in the Mooltan Small Cause Court was incorrectly stated to be 31 days. It did not exceed 11 days.

Original jurisdiction of Commissioners.

79. Only one case was decided during the year by Commissioners in the exercise of their original Civil Jurisdiction. It was a case brought by Sahib Singh against the Secretary of State for India, and was decided by the Commissioner of Delhi.

Original cases disposed of by the Chief Court.

80. The Chief Court decided one case in the exercise of its Original Civil Jurisdiction during the year, and had two cases pending on its file at the close. Besides this the Court disposed of 5 cases under the summary procedure provided for suits on bills of exchange under Act V of 1866, also of several applications under Act X of 1865, and of 23 references from Small Cause Courts under Section 22 of Acts XI of 1865 and X of 1867.

PART II.—APPEALS.

Decrease in number of appeals.

81. The returns show a large decrease in the number of appeals preferred to the several grades of Appellate Courts during the year 1868, as compared with the two previous years—

APPELLATE COURTS.	Number of appeals in 1866.	No. of appeals in 1867.	No. of appeals in 1868.	Decrease in 1868.	Per-centage of decrease in 1868.
Deputy Commissioners, ...	9,024	7,548	6,417	1,131	15 per cent.
Commissioners, ...	7,041	5,832	4,777	1,055	18 per cent.
Chief Court, ...	1,554	1,201	1,146	55	4·5 per cent.
TOTAL, ...	17,619	14,581	12,340	2,241	15 per cent.

General causes of decrease.

82. The decrease may be attributed, partly, to the enhanced rates of stamp duty and tulubana fees, and partly, though in a less degree, to the operation of the Punjab Appeals' Act, which does not allow a second regular appeal on the facts from a decision which has been concurred in by two Courts. This Act, however, only applied to appeals in cases which had been instituted after the 1st April 1868, and it could not have had much effect in reducing the number. The increase in original decisions occurred chiefly towards the latter portion of the year, and there was hardly time for it to have affected the Appellate Courts. Other special causes were in operation in the different Courts to reduce the number of appeals.

A.—APPEALS TO DEPUTY COMMISSIONERS.

Decrease in District Appellate Courts.

83. In 21 districts there has been a decrease in the number of appeals instituted, and in 11 districts there has been an increase, but the increase on the latter is very small compared with the large decrease in the former. This decrease is most marked in the districts of—

	1867.	1868.	*Decrease.*
Goordaspore, ...	468	221	247
Hoshiarpore, ...	608	415	193
Loodiana, ...	336	166	170
Mozuffurgurh, ...	186	84	102
Goorgaon, ...	183	97	86
Delhi, ...	183	111	72
Umritsur, ...	442	383	59

84. Besides the causes mentioned in para 82, there were other causes in operation to reduce the number of appeals to the Courts of Deputy Commissioners. *First*, fewer cases were decided by officers exercising ordinary and special powers than in 1867; and *secondly*, instructions were issued by the Chief Court to District Officers so to distribute the work of their Subordinate Courts that only suits of the nature of those cognizable by Small Cause Courts, and not exceeding Rs. 50 in value, might come under the cognizance of Naib-Tehseeldars. The effect of this order was to withdraw the more important cases to the Suddur, and to leave only petty cases of debt &c., in the Tehseel Courts, as the order was by some Deputy Commissioners extended to Tehseeldars as well as to their Naibs. As a rule, appeals from decrees in such cases are few in number compared with the number of appeals from decrees affecting immoveable property, and there is no doubt that by distributing the work as directed appeals to Deputy Commissioners' Courts have been reduced in number.

Causes of decrease.

85. Including 369 remaining from the previous year, there were altogether 6,786 appeals for disposal, to 8,117 in 1867. Of these 6,311 were disposed of during the year, leaving a balance of 475 at its close. The decisions did not keep pace with the institutions, although these were fewer than in the previous year, and the pending file and the average duration increased considerably. Both of these unfavourable results are in a great measure due to the Umritsur district returns. In that district 197 appeals, or 41 per cent of the total number, were pending at the close of the year, and the average duration was 104 days. If the returns of this district be excluded, the pending cases would be less, and the average duration would be only one day higher, than in the previous year.

Appeals for disposal, and number disposed of.

86. The average duration of appeals to District Appellate Courts was 27 days, or 6 days more than in 1867, and this notwithstanding that there were fewer appeals for disposal than in that year. The duration was above the average in the districts of—

Average duration.

Umritsur,...	104 days.
Bunnoo, ...	74 „
Delhi, ...	53 „
Dera Ismail Khan,...	51 „
Kohat, ...	46 „
Huzara, ...	43 „
Goojranwala, ...	39 „

87. These unfavourable results had apparently nothing to do with the number of appeals preferred in these districts, as, with the exception of Umritsur and Bunnoo, the number instituted in the other districts mentioned above was not large. The Deputy Commissioner of Umritsur attributes the long average duration of appeals to the heavy arrears with which the year started, and to the district—with the pergunnah Buttala attached—being too large for one officer to manage; in the Bunnoo and Delhi districts the delay is said to be due to press of work; in the Kohat district to one case which remained pending for several months until the Deputy Commissioner could visit the locality; and in Huzara it is accounted for by the occurrence of the outbreak in Agrore. The Officiating Commissioner of Lahore states that the continued high average duration in the Goojranwala district is not at all satisfactory, and has not been explained.

Causes of long average duration explained.

Umritsur.

Bunnoo and Delhi.

Kohat

Huzara

Goojranwala.

88. The low average duration of appeals in the following districts is creditable to the Appellate Courts :—

Duration low in certain districts

Goojrat,	...	...	...	...	3 days.
Loodiana,	...	...	...	...	6 „
Hissar,	...	...	...	...	6 „
Rohtuck,	...	...	...	...	7 „
Kangra,	...	...	...	...	8 „

These districts were favorably noticed on this account in last year's report.

89. The Court is glad to notice a great improvement in the duration of appeals in the Peshawur Court, which fell from 164 days in 1867 to 18 days in 1868.

Improvement in Peshawur Appellate Court in regard to duration

90. The average duration of appeals in the Goojrat district is only 3 days. The Deputy Commissioner says that this includes the period allowed for serving notice on the respondent; but if the files are sent for in every case except those which are struck off without trial, and the appeals are always heard in presence of the parties, the Court is unable to understand how so low an average has been obtained. The Court will call for an explanation on this point, as it would appear that the period has been wrongly calculated.

Low duration in Goojrat

91. In the districts of Delhi, Rohtuck, Simla, Lahore, Goojrat, Dera

Districts in which no appeals were pending.

Ismail Khan, Jhung, Mozuffurgurh, Montgomery and Kohat, no appeals were pending at the close of the year.

Date of oldest appeal.

92. The oldest appeal, dating from the 23rd May 1868, was pending in the Umritsur district. In the remaining districts no appeals were pending above three months, which is satisfactory.

Appeals how disposed of.

93. The manner in which the appeals preferred to Deputy Commissioners' Courts were disposed of is shewn in the following statement, to which the returns of the previous year are added for the purpose of comparison :—

Year.	Number of appeals disposed of.	Appeals withdrawn, transferred or struck off without trial.		Decided in favour of Appellant.						Decided in favor of Defendant.		Remanded for re-investigation.	
				In whole.		*In Part.*		*Total.*					
		Number.	Per-centage.	Number.	Per-centage.	Number.	Per-centage.	Number.	Per-centage.	Number.	Per-centage.	Number.	Per-centage.
1867,	7,747	636	8·0	879	11 3	376	4 8	1,255	16	4,566	59·0	1,290	16 7
1868,	6,311	470	7·4	755	11·9	373	5·9	1,128	17·8	3,469	55 0	1,244	19 7

General result.

94. The proportion of appeals rejected without trial is much the same in both years. Fewer appeals proportionately were decided in favour of respondents in 1868, and a larger per-centage was returned for re-investigation, neither of which speaks well for the Courts from whose decisions appeals were preferred.

Value and cost.

95. The value and costs of appeals to District Appellate Courts are shewn in the subjoined statement :—

Scale of Valuation.	Number of appeals	Aggregate value of appeals.		Aggregate cost of appeals.		Average value of appeals.		Average cost of appeals.		Per-centage of costs to value.
Not exceeding Rs. 5,...	466	1,510	11	926	4	3	3	2	..	·61
" " 20,...	2,325	29,070	...	5,539	.	12	8	2	6	19
" " 100,...	2,885	1,44,224	7	20,255	4	50	.	7	.	14
" " 500,...	619	1,13,358	8	12,753	9	183	2	20	9	11
" " 5,000,...	6	3,694	8	440	8	615	12	73	6	11
	6,301	2,01,858	2	39,914	9	46	5	6	5	13

96. Compared with 1867 it appears that the aggregate value of appeals has decreased, while the aggregate cost has increased. The average value is slightly higher than in that year, and so are the average cost and per-centage of costs to value.

Average value and cost of appeals has increased.

B.—Appeals to Commissioners.

97. Although there was an increase in the number of appealable case as compared with the previous year, the returns shew a falling off in the number of appeals preferred to Comsioners' Courts during the year 1868. The number for disposal, inclusive of pending cases, and the number decided and pending, are shewn for each Court in the subjoined statement:—

Decrease in appeals to Commissioners' Courts.

Divisional Courts.	Appeals for disposal.			Disposed of in 1868.	Pending at the close of 1868.	Date of oldest case pending at end of 1868.	Average duration of each appeal, in days.
	Pending on 1st January 1868.	Instituted during 1868.	Total.				
Delhi, ...	17	431	448	431	17	18th July 1868, ...	22 days.
Hissar, ...	13	174	187	182	5	14th Decr. 1868, ...	22 „
Umballa, ...	273	797	1,070	1,041	29	1st Decr. 1868, ...	55 „
Jullundur, ...	291	832	1,123	840	283	4th March 1868, ...	120 „
Umritsur, ...	276	565	841	684	157	12th January 1867,	104 „
Lahore, ...	50	438	488	458	30	20th July 1868, ...	24 „
Rawul Pindee, ...	104	749	853	791	62	24th July 1868, ...	17 „
Mooltan, ...	12	267	279	266	13	30th October 1868,	27 „
Derajat, ...	187	305	492	443	49	20th March 1867,	179 „
Peshawur, ...	60	219	279	181	98	26th March 1868,	137 „
Total, ...	1,283	4,777	6,060	5,317	743	...	70

98. In the Delhi, Umballa and Rawul Pindee Courts the number of appeals preferred is much the same as in the previous year, but in the other Courts there is a large decrease—

In what districts decrease occurred.

most notably in the Hissar (42 per cent), Umritsur (41 per cent), Peshawur (31 per cent), Derajat (29 per cent), and Jullundur (18 per cent) Divisions. The number of institutions still continues largest in the Jullundur, Umballa, Rawul Pindee and Umritsur Courts.

Reduction of pending file

99. Including 1,283 pending cases, the total number of appeals for disposal in Commissioners' Courts was 6,060, of which 5,317 were decided during the year, leaving 743 pending at its close. The decisions are largely in excess of the institutions, but as Additional Commissioners were posted to the Jullundur, Umritsur and Peshawur Divisions during a portion of the year the Court expected to find fewer pending cases and a lower average duration.

Average duration.

100. The general average duration continues high, being 70 days in 1868 to 72 days in 1867. It has increased in the following Courts :—

Derajat	from	136	to	179	days.
Peshawur	„	74	„	137	„
Jullundur	„	66	„	120	„

In the Umritsur Court it was 101 days, or one day less than in 1867.

Explanation of long duration in certain Courts.

Derajat.

101. The Commissioner of the Derajat Division regrets the delay which has occurred in his Court, and says that he will endeavour to improve in this matter. The Court is glad to see that his pending file has been considerably reduced since the beginning of the year.

Peshawur and Umritsur

Jullundur

102. The Commissioner of the Peshawur Division and the Commissioner of the Umritsur Division have submitted no explanation of the long average duration in their respective Courts. Mr. Forsyth, Commissioner of the Jullundur Division, has furnished an explanation in which he endeavours to show that the long average duration in the Divisional Court was due, partly to the arrears pending at the beginning of the year, partly to cases which were sent back for re-investigation being retained on the files of the Appellate Court, and partly to the delay caused by other cases connected with the appeal not being forthcoming. There can be no doubt that arrears must interfere with the due despatch of business, especially in a Division like Jullundur, where the current work alone is sufficient to occupy the whole time of one Commissioner,

but the other causes mentioned by Mr. Forsyth are more or less in operation in all Appellate Courts.

103. The number of appeals decided by the Commissioner and the Additional Commissioner attached to the Jullundur Division appears from Mr. Forsyth's explanatory letter to be as follows :—

Colonel Young	decided	310	cases,	average	duration	96	days.
Major Maxwell	„	429	„	„	„	136	„
Mr. Forsyth	„	101	„	„	„	126	„
Total, ...		840	„	„	„	120	

104. It will be remembered that in 1867, before the appointment of an Additional Commissioner to the Jullundur Division, Mr. Forsyth alone decided the very large number of 818 appeals, on an average duration of 66 days each.

Despatch of work in the Rawul Pindee Divisional Court.

105. The despatch with which the Commissioner of Rawul Pindee disposed of his heavy appeal file is very praiseworthy. He decided 791 appeals during the year, on an average duration of only 17 days; and as Mr. Melvill always goes into his cases thoroughly, the result is not due to a cursory disposal of them.

Dates of oldest cases and explanation.

106. The Court regrets to notice so many old cases. The oldest pertains to the Umritsur district, and is dated 12th January 1867. "It is," the Commissioner writes, "a suit connected with land, in which enquiry on certain points was made from Mr. Prinsep, Settlement Commissioner. No reply has yet been received. The return of the case will be requested." Of the three appeals pending in the Derajat Division since the 20th March 1867, Colonel Graham writes—"These three were very important and difficult cases of inheritance, between the Nawab of Tank and his cousin, the hearing of which was for a long time postponed at the request of the latter owing to his absence at Lahore. The parties have now consented to arbitration."

Appeals how disposed of.

107. The manner in which the appeals preferred to the several Divisional Appellate Courts were disposed of, is shown in the following statement :—

Divisional Courts.	Number of appeals disposed of.	Appeals withdrawn, transferred or struck off without trial.		Decided in favor of appellant.						Decided in favor of respondent.		Remanded for further investigation.	
				In whole.		*In parts*		*Total.*					
		Number.	Per-cent.	Number.	Per-cent.	Number.	Per-cent.	Number.	Per-cent.	Number.	Per-cent.	Number.	Per-cent.
Delhi, ...	431	53	12·2	89	20·6	26	6.	115	26·6	227	52·6	36	8·3
Hissar, ...	182	14	7·6	24	13·1	5	2·7	29	15·8	123	67·6	16	8·7
Umballa, ...	1,041	...	...	38	3·6	120	11·5	158	15·1	814	78·1	69	6·6
Jullundur, ...	840	61	7·2	126	15·	42	5·	168	20·	510	60·7	101	12·
Umritsur, ...	684	29	4·2	60	8·7	24	3·5	84	12·2	398	58·1	173	25·2
Lahore, ...	458	53	11·5	52	11·1	50	10.9	102	22·2	234	51·	69	15·
Rawul Pindee, ..	791	63	8·	129	16·3	38	4·8	167	21·1	483	61·	78	9·8
Mooltan, ...	266	21	8·	32	12·	6	2·2	38	14·2	169	63·5	38	14·2
Derajat, ...	443	17	3·8	17	3·8	6	1·3	23	5·1	311	70·2	92	20·7
Peshawur, ...	181	1	0·5	8	4·4	5	2·7	13	7·1	133	73·4	34	18·7
Total, ...	5,317	312	5·8	575	10·8	322	6·	897	16·8	3,402	63·9	706	13·4

Comparison with previous year.

108. The per-centage of appeals rejected without trial and sent back for re-investigation was less than in the preceding year. The proportion of cases remanded for re-investigation varied from 6·6 per cent in the Umballa Court to 25 per cent in the Umritsur Court. The per-centage varies according to the idiosyncracies of the Appellate Judge, and it is not always indicative of an imperfect investigation on the part of the officer whose decision has been appealed against.

109. In other respects the results are much the same as in previous year. About 70 per cent of the appeals were rejected or confirmed, and 16 per cent reversed or modified. The proportion of reversals is above the average in the Courts of the Commissioners of Delhi (26·6 per cent), Lahore (22 per cent), Rawulpindee (21 per cent), and Jullundur (20 per cent).

Value and costs of appeals.

110. The value and costs of appeals to Commissioners' Courts are shewn in detail in the following statement :—

Valuation of suits.	Number of appeals.	Aggregate value of appeals			Aggregate cost of appeals.			Average value of appeals.			Average cost of appeals.			Per-centage of costs to value.
Not exceeding Rs. 5	246	858	6	0	364	4	0	3	7	0	1	7	0	42
Ditto 20	1,461	18,640	5	0	3,587	4	0	12	12	0	2	7	0	19
Ditto 100	2,033	1,07,326	9	0	15,103	14	0	52	12	0	7	6	0	14
Ditto 500	1,170	2,65,938	9	0	28,519	2	0	227	4	0	24	6	0	10
Ditto 5,000	374	4,43,685	6	0	36,896	3	0	1,186	5	0	98	10	0	8
Ditto 1,00,000	27	2,95,193	0	0	5,980	0	0	10,933	0	0	221	0	0	2
Above 1,00,000	1	1,10,000	0	0	3,058	0	0	1,10,000	0	0	3,058	0	0	2
Total, ..	5,312	12,41,642	3	0	93,508	11	0	233	12	0	17	9	0	7

Decrease in value and increase in cost of appeals

111. There is a great falling off in the aggregate value of appeals as compared with that of 1867, while there has been a great increase in the aggregate costs. The average value of each appeal fell from Rs. 376 in 1867 to Rs. 233 in 1868, and the average cost of appeals rose from Rs. 12 to Rs. 17·9, and the per-centage of costs to value from 3 to 7.

C.—Appeals to the Chief Court.

Decrease in regular and increase in special appeals

112. The number of appeals preferred to the Chief Court during the year was 1,146, or 55 less than in the previous year. This decrease is too small to require any explanation, but it is probably due to the operation of Act VII of 1868, as the decrease occurred altogether in regular appeals, which fell from 1,055 in 1867 to 869 in 1868. On the other hand, there has been a large increase in the number of special appeals, which rose from 146 in 1867 to 277 in 1868.

Appeals how disposed of.

113. Including pending cases, there were in all 1,310 appeals for disposal, of which 1,066 were decided during the year. Of these, 835 were regular and 231 were special appeals. The manner in which they were disposed of is shewn in the following statement, to which the returns of the previous two years have been added :—

Year.	Total number of appeals disposed of.	Appeals withdrawn, transferred or struck off on default.		Appeals tried.										Average duration.
				Decided in favour of Appellant.						In favour of Respondent.		Remanded for re investigation.		
				In whole.		In part.		Total.						
		Number of appeals.	Per-centage of disposals.	Number.	Per-centage.	Number.	Per centage.	Number.	Per-centage.	Number.	Per-centage.	Number.	Per-centage.	
1866,	1,299	919	70·8	57	4·4	16	1·2	73	5·6	235	18 1	72	5 5	...
1867,	1,311	493	37 6	136	10·3	46	3·5	182	14·0	515	39 0	121	9·0	53
1868,	1,066	411	38 5	144	13·5	35	3 2	179	16 7	411	38·5	65	6·0	40

114. The appeals were dealt with in much the same manner as in 1867. The proportion of appeals rejected and of orders confirmed was 77 per cent, of orders reversed or modified 17 per cent, and of cases remanded for re-investigation 6 per cent;—results which on the whole may be considered favourable.

General result.

115. The average duration was 40 days, or 13 days less than in 1867, and the pending file was somewhat higher.

Average duration.

116. The next statement shows the value and cost of appeals to the Chief Court—

Value and cost of appeals.

Value.	Number of cases.	Aggregate value of appeals.		Aggregate cost of appeals.		Average value of appeals.		Average cost of appeals.		Per-centage of costs to value.
Not exceeding Rs. 5	23	61	15	128	6	2	11	5	9	...
Ditto 20	142	2,087	6	743	0	14	11	5	3	35 0
Ditto 100	409	24,626	3	4,355	15	60	3	10	10	17 0
Ditto 500	322	71,852	15	9,801	11	223	0	30	7	13 0
Ditto 5,000	105	1,30,837	1	13,082	6	1,246	1	124	9	9 0
Ditto 1,00,000	4	57,633	1	2,841	5	14,408	4	710	5	4 0
Total, ...	1,005	2,87,098	9	30,952	11	285	10	30	12	10 0

117. The following general statement shows the manner in which the several grades of Appellate Courts disposed of the appeals coming before them :—

General results of appeals.

APPELLATE COURT		Number of cases appealable to Appellate Courts.	Cases Appealed		Number of cases for disposal by Appellate Courts including cases remaining from 1867	APPEALS DISPOSED OF								Total disposed of	Pending at the close of 1868	Average duration.
						Withdrawn, transferred or struck off without trial		In favor of				Remanded for further enquiry				
								Appellant		Respondent						
			Number	Per-centage to appellable cases		Number	Per-centage to appellate cases	Number	Per-centage to appellate cases.	Number	Per-centage to appellate cases	Number	Per-centage to appellate cases			
Deputy Commrs	1867,	90,571	7,548	8 3	8,117	636	8	1,255	16	4,566	59	1,290	17	7,747	369	21 days
	1868,	98,393	6,417	7 2	6,786	470	7 4	1,128	17 8	3,469	54 9	1,244	19 7	6,311	475	27 „
Commissioners,	1867	32,965	5,832	17 7	7,190	648	11	839	14	3,481	59	912	15	5,880	1,310	72 „
	1868,	36,317	4,777	13 1	6,060	312	5 8	897	16 8	3,402	63 9	706	13 4	5,317	743	70 „
Chief Court,	1867,	5,880	1,201	20·4	1,478	493	38	182	14	515	39	121	9	1,314	167	53 „
	1868,	5,317	1,146	21 5	1,310	411	38 5	179	16 7	411	38 5	65	6 1	1,066	244	40 „
Total,	1867,	1,29,416	14 581	11 2	16,785	1,777	11 8	2,276	15 2	8,562	57 3	2,323	15 5	14,941	1,846	
	1868,	1 30,027	12 340	9 4	14 156	1,193	9 4	2,204	17 3	7,282	57 3	2,015	15 9	12,694	1,462	

118. The proportion of appeals withdrawn, transferred or struck off without trial and the proportion of appeals admitted for trial were larger than in the previous year. The proportion of cases remanded for re-investigation is stationary; but the average duration and the number of pending cases have decreased as compared with 1867.

Comparison with previous

119. Comparing the Appellate Courts amongst themselves, it appears that more appeals in proportion to the number of appealable cases were preferred to the Divisional than to the District Appellate Courts, and to the Chief Court than to the Divisional Courts. The proportion of appeals decided in favour of appellants was much the same in all the Courts. The Chief Court rejected a larger proportion of appeals as being inadmissible, on account of the concurrence of two Appellate Courts on the facts, than the two lower Appellate Courts, but it remanded a smaller proportion of cases for re-investigation. In this latter respect there is a decrease, as there ought to be, under the operation of the Code of Civil Procedure and the Punjab Appeals' Act, in the Commissioners' Courts and in the Chief Court, while there has been an increase in Deputy Commissioners' Courts. The Judges of the Chief Court have reason to believe that some of the Lower Appellate Courts, following the old practice, continue to remand cases for re-investigation on other grounds than those allowed by Section 351 of Act VIII of 1859. The average duration of appeals is 27 days in the District Appellate Courts, 70 days in the Divisional Appellate Courts, and 40 days in the Chief Court. Taken together, the general average duration of all the Appellate Courts is 37 days. If the records of the Lower Courts are sent for in most cases and dates are fixed for hearing, the average duration of appeals can never be as low as that of original suits.

Comparison of the different Appellate Courts

120. The average value of each appeal to a District Court was Rs. 46, to a Divisional Court Rs. 233, and to the Chief Court Rs. 285; the average cost of appeals to these Courts was Rs. 6, Rs. 17, and Rs. 30 respectively; and the per-centage of costs to value was 13 7, 7, and 10 respectively.

Value and cost of appeals to the several grades of Appellate Courts

MISCELLANEOUS CASES.

121. The following statement shows the miscellaneous business of each district, and the manner in which it was disposed of—

Districts.	Instituted.		Decided.				Pending on 1st January.	
			1867.		1868.		Total pending on 1st January.	
	1867.	1868.	Decided on merits.	Finally disposed of.	Decided on merits.	Finally disposed of.	1867.	1868.
Delhi, ...	3,568	3,353	2,725	3,494	2,437	3,452	388	289
Goorgaon, ...	1,265	1,241	976	1,292	1,022	1,289	124	76
Karnal, ...	1,539	1,426	1,190	1,528	1,086	1,456	110	80
Hissar, ...	1,073	1,113	834	1,077	822	1,120	33	26
Rohtuck, ...	1,573	1,288	1,263	1,582	1,013	1,331	55	12
Sirsa, ...	961	862	788	967	732	880	29	11
Umballa, ...	4,899	5,155	3,337	4,963	3,199	5,046	242	351
Loodiana, ...	3,724	3,150	3,156	3,717	2,604	3,177	200	161
Simla, ...	1,405	1,238	809	1,398	596	1,192	56	102
Jullundur, ...	6,018	6,048	4,862	6,238	4,468	6,171	391	268
Hoshiarpoor, ...	5,606	6,004	4,661	5,547	4,860	6,016	432	420
Kangra, ...	1,986	2,232	1,664	2,061	1,782	2,177	161	216
Umritsur, ...	6,376	7,344	4,325	6,144	5,185	7,122	834	1,057
Goordaspoor, ...	2,583	2,763	1,731	2,921	1,531	2,812	398	349
Sealkote, ...	5,172	5,551	4,407	5,240	4,538	5,584	448	413
Lahore, ...	6,822	7,270	4,369	6,784	4,696	7,258	514	505
Ferozepoor, ...	6,295	4,405	4,604	6,153	3,020	4,479	529	455
Goojranwalla, ...	4,773	6,335	3,143	4,774	4,394	6,360	196	171
Rawul Pindee, ...	2,712	3,203	2,010	2,764	2,318	3,197	120	134
Jhelum, ...	1,017	1,043	935	1,086	876	1,025	47	65
Goojrat, ...	1,934	2,117	1,650	1,989	1,745	2,062	67	122
Shahpoor, ...	1,229	1,508	808	1,148	1,110	1,535	176	149
Bunnoo, ...	1,196	1,836	1,066	1,071	1,750	1,801	146	91
Dera Ismael Khan, ...	1,525	1,373	1,204	1,479	1,077	1,470	231	134
Dera Ghazee Khan, ...	1,249	1,297	1,091	1,259	1,173	1,352	72	27
Mooltan, ...	1,166	1,271	886	1,182	904	1,262	86	105
Jhung, ...	1,792	1,418	1,306	1,728	1,109	1,453	124	39
Montgomery, ...	945	1,156	637	947	789	1,142	23	37
Moozuffurgurh, ...	1,463	1,575	1,022	1,493	919	1,504	42	113
Peshawur, ...	2,491	3,096	2,104	2,513	2,701	3,086	125	135
Huzara, ...	525	567	430	574	351	557	46	42
Kohat, ...	379	450	357	381	403	452	9	7
Total, ...	85,251	88,697	64,290	85,444	65,210	88,820	6,463	6,162
Increase, ...		3,446			920	3,376		
Decrease, ...								301

122. There has been an increase of 2,739 cases, chiefly under the following heads :—

	1867.	1868.
Petitions for review of judgment, ...	538	846
Petitions from pauper plaintiffs, ...	467	746
Applications for execution of decrees, ...	63,554	66,827
Applications for letters of administration and probate,	2	122

and a decrease in the number of references from other Courts. The increase in petitions to sue as a pauper is probably due to the operation of the Stamp

Act; and in petitions for review of judgment partly to the same cause and, partly, to the provisions of the Code relating to reviews becoming better known year by year.

Execution of Decrees.

Statement of execution of decrees.

123. The number of decrees put in execution, and the number completely and partially executed, are shewn in the subjoined statement for each district :—

District.	Total number of applications for execution.	Completely executed.	Partially executed.	Struck off.	Transferred.	Total number disposed of.	Per-centage of decrees completely executed.
Delhi, ..	3,066	1,004	896	704	224	2,828	35
Goorgaon, ..	969	496	157	235	5	893	55
Kurnal, ..	1,154	485	238	353	7	1,083	44
Hissar, ..	802	352	141	244	43	780	45
Rohtuck, ..	962	457	196	293	9	955	47
Sirsa, ..	464	198	111	135	9	453	43
Umballa, ..	4,701	1,750	849	1,640	172	4,411	39
Loodiana, ..	2,877	1,369	777	570	...	2,716	50
Simla, ..	1,160	277	185	588	8	1,058	26
Jullundur, ..	5,055	1,718	1,405	1,605	70	4,798	35
Hoshiarpoor, ..	5,097	2,578	1,043	1,131	17	4,769	54
Kangra, ..	1,915	889	434	393	1	1,717	51
Umritsur, ..	6,434	2,538	1,108	1,819	...	5,465	46
Goordaspoor, ..	2,227	1,132	290	457	7	1,886	60
Sealkote, ..	4,433	2,041	969	1,038	...	4,048	50
Lahore, ..	6,822	1,755	2,008	2,560	...	6,323	27
Goojranwalla, ..	2,126	947	450	518	56	1,971	48
Ferozepoor, ..	3,865	1,046	1,091	1,246	35	3,418	30
Rawulpindee, ..	2,715	1,319	403	858	10	2,590	50
Jhelum, ..	952	641	106	144	1	892	71
Goojrat, ..	1,732	902	402	302	7	1,613	55
Shahpoor, ..	1,448	723	165	416	...	1,304	55
Bunnoo, ..	1,040	765	52	32	...	849	90
Dera Ishmael Khan,	1,550	815	184	388	...	1,417	59
Dera Ghazee Khan,	1,181	676	312	169	...	1,157	58
Mooltan, ..	1,230	508	274	352	...	1,134	44
Jhung, ..	1,303	733	149	344	...	1,226	59
Montgomery, ..	973	441	158	349	...	938	46
Moozuffurgurh, ..	1,367	521	169	582	...	1,272	40
Peshawur, ..	2,908	1,476	917	379	1	2,773	53
Huzara, ..	497	167	174	94	6	441	37
Kohat, ..	183	91	53	26	7	177	51
Total, ..	73,208	30,840	15,856	19,964	695	67,355	45

Results of executions.

124. Of the 73,208 decrees put in execution, 33,489 were decrees passed during the year, 33,823 were passed in previous years, and 5,896 were pending at the beginning of the year.

The number of applications for execution was 2,577 in excess of the previous year. They were disposed of in the following manner :—

30,840 or 45·7 per cent	were completely	executed.
15,856 or 23 7	ditto	partially executed.
19,961 or 29 6	ditto	struck off on default.
695 or 1·0	ditto	transferred.

5,853 applications were pending at the close of the year. Looking at the proportions of decrees completely and partially executed, the results are more favourable than in the previous year. The per-centage of decrees struck off on default appears large.

Sums realized in execution of decrees.

125. The aggregate value of decrees put in execution was Rs. 50,90,291, and the total amount realized was Rs. 17,47,129, or 34 per cent. Of the amount realized—

Rs. 6,95,417, or 39·8 per cent, were paid voluntarily into Court.

„ 8,11,802, or 46·4 ditto were paid after attachment but before sale of goods.

„ 2,39,910, or 13·7 ditto were realized by sale of property.

The per-centage of realizations was 5 per cent higher than in the previous year, and a much larger proportion was also paid voluntarily into Court than in that year.

126. The Court has reason to fear that the execution of decree department does not obtain that attention at the hands of judicial officers which its importance demands, partly on account of their time being already more than fully occupied with what they consider to be more pressing work, and partly on account of the work not being so interesting as some of their other duties. The difficulties which beset a decree-holder before he can get his decree completely executed are referred to in the report of the Deputy Commissioner of Lahore. The plan proposed by him of entrusting the execution of all decrees of the Sudder Courts to one officer would no doubt lead to beneficial results, and the Court proposes to authorize its being carried out in one or two districts experimentally.

Sales of hereditary or joint acquired property in land.

127. The returns show that hereditary or joint-acquired property in land was sold in 41 cases, of which 17 sales were in the Shahpore district. An explanation has been called for from the Deputy Commissioner of Shahpore, as the records of this office do not shew that so many sales were sanctioned by the Chief Court. In 23 districts no sales of hereditary or joint-acquired property in land were effected. In 43 cases arrangements were made, under Sections 243 and 244 of Act VIII of 1859, for alienating for a time immovable property until the debt should be

Sales of other real property.

paid. Sales of real property, other than ancestral or joint-acquired property, took place in 800 cases.

Debtors imprisoned.

128. 847 persons were imprisoned for debt during the year. Of these—

490	were imprisoned	for	...	...	...	one month.
256	„ „	up to	...	...	...	three months.
89	„ „	„	...	...	...	six „
12	„ „	above	...	...	...	six „

The number of debtors sent to prison is yearly increasing. The number, as in the two previous years, was most numerous in the districts of—

Delhi, ...	173
Peshawur, ...	189
Umballa, ...	85

Income and expenditure from Tulubana fees.

129. The income and expenditure from Tulubana fees in each district are shewn in the next statement :—

Districts.		Income.			Expenditure.			Surplus.		
					R					
Delhi, ...		15,706	8	...	6,573	14	10	9,132	9	2
Goorgaon, ...		6,221	8	...	2,200	...	7	4,021	7	5
Kurnal, ...		6,948	8	...	3,662	10	6	3,285	13	6
Hissar, ...		4,333	4	...	1,536	4	3	2,796	15	9
Rohtuck, ...		4,573	10	...	2,088	...	...	2,485	10	...
Sirsa, ...		2,411	1	...	1,388	...	...	1,023	1	...
Umballa, ...		17,224	12	...	8,368	4	3	8,856	7	9
Loodiana, ...		11,420	10	6	3,082	7	4	8,338	3	2
Simla, ...		3,838	2	...	2,291	...	...	1,547	2	...
Jullundur, ...		29,276	4	...	7,971	2	5	21,305	1	7
Hooshyarpoor, ...		23,303	8	...	9,385	6	11	13,918	1	1
Kangra, ...		6,938	14	...	6,093	1	5	845	12	7
Umritsur, ...		21,694	8	...	10,547	13	4	11,146	10	8
Gooraspoor, ...		6,262	6	...	4,056	...	...	2,206	6	...
Sealkote, ...		15,702	8	...	6,428	11	2	9,273	12	10
Lahore, ...		18,145	4	9	10,197	13	7	7,947	7	2
Goojranwalla, ...		6,108	14	...	3,175	3	9	2,933	10	3
Ferozepoor, ...		10,791	...	...	4,237	5	...	6,553	11	...
Rawul Pindee, ...		9,030	...	...	4,627	7	5	4,402	8	7
Jhelum, ...		8,237	4	...	3,471	5	8	4,765	14	4
Goojrat, ...		7,311	2	...	3,072	...	...	4,239	2	...
Shahpoor, ...		5,814	...	...	3,549	3	3	2,264	12	9
Mooltan, ...		5,931	6	...	2,809	12	6	3,121	9	6
Jhung, ...		6,170	15	7	2,774	7	2	3,396	8	5
Montgomery, ...		4,956	15	...	2,345	4	8	2,611	10	4
Mozuffurgurh, ...		7,759	12	...	3,974	12	10	3,784	15	2
Dera Ishmail Khan, ...		7,350	6	...	3,886	10	7	3,463	11	5
Dera Ghazee Khan, ...		3,454	6	...	2,922	15	11	531	6	1
Bunnoo, ...		8,414	12	...	2,886	...	...	5,528	12	...
Peshawur, ...		10,478	14	...	4,287	8	...	6,191	6	...
Huzara, ...		2,663	4	...	1,704	13	1	958	6	11
Kohat, ...		995	6	...	493	14	3	501	7	
Total, ...	1868,	2,99,469	8	10	1,36,089	6	8	1,63,380	2	29
	1867,	2,01,014	...	...	1,08,987	...	...	92,026	...	...

130. The income amounted to nearly three lakhs of rupees, and the expenditure was less than half that sum. At the end of the year there was a surplus of Rs. 1,63,380 at the disposal of Government. Act XI of 1863 was introduced into the Punjab, chiefly with the view of enabling the Local Government to appropriate the surplus proceeds for the improvement of the administration of Civil Justice in this Province—the only legitimate purpose apparently to which the surplus could be applied under Section 7 of the Act—and the Court is very anxious that the scheme proposed in my letter No. 5136, dated 8th December 1868, whether in its entirety or in a modified form, be sanctioned at an early date for effecting this most pressing and important matter.

Surplus at the disposal of Government.

131. The rules framed under the Act continue to work well, and the rates of tulubana do not press heavily upon suitors. The large increase in the surplus is in a great measure due to the control exercised over the expenditure by the Chief Court. Formerly establishments were entertained and paid out of the Tulubana fund under the sanction of Commissioners of Divisions, and great irregularities and diversity in practice prevailed in different Divisions in this respect. Since the introduction of the Act XI of 1863 every proposed increase of establishment must receive the sanction of the Chief Court before being entertained, and no miscellaneous expenditure can be incurred from the fund without the Court's authority.

Control of expenditure.

132. In conclusion, I am desired to call the attention of Government to the very large increase in work, Civil, Criminal and Miscellaneous, that has taken place in the Courts of this province within the last few years, without any corresponding increase in the judicial staff. The districts and departments in which this increase has occurred will appear from the subjoined comparative statement :—

Conclusion.

Districts.	Number of cases disposed of.					
	Civil.		Criminal.		Miscellaneous.	
	1862.	1868.	1862.	1868.	1862.	1868.
Delhi, ...	4,078	5,108	1,288	1,694		
Goorgaon, ...	1,832	1,712	671	912		
Kurnal, ...	1,485	2,033	837	1,360		
Hissar, ...	957	1,749	636	1,012		
Rohtuck, ...	1,181	1,508	594	698		
Sirsa, ...	720	908	587	996		
Umballa, ...	4,990	7,173	1,406	2,596		
Loodiana, ...	4,467	5,940	897	1,593		
Simla, ...	1,770	1,858	584	577		
	T 595		T 393			
Jullundur, ...	5,906	10,105	1,122	2,270		
Hoshiarpoor, ..	5,125	18,123	1,407	1,974		
Kangra, ...	2,802	4,115	1,733	2,752		
Umritsur, ...	6,658	12,869	2 266	4,194		
Goordaspoor, ...	3,604	3,985	1,352	1,166		
Sealkote, ...	5,296	9,163	1,170	1,958		
Lahore, ...	7,740	10,253	2,226	4,278		
Goojranwalla, ..	3,635	6,287	1,508	1,305		
Ferozepoor, ...	4,852	4,470	1,219	1,647		
Rawulpindee, ...	3,220	7,146	2,157	3,039		
Jhelum, ...	1,566	2,604	973	973		
Gooprat, ...	2,881	3,780	688	1,370		
Shahpoor, ...	3,072	3,775	620	1,536		
Bunnoo, ...	2,182	3,393	781	1,310		
Derah Ismail Khan, ...	3,211	3,988	799	1,226		
Derah Gazee Khan, ...	1,921	3,754	1,189	1,397		
Mooltan, ...	1,503	2,985	915	1,254		
Montgomery, ...	1,784	2 067	583	1,084		
Moozuffurguih, ...	1,871	3,591	377	889		
Jhung, ...	2,320	3,401	631	1,097		
Peshawur, ...	4,449	6,588	1,898	3,506		
Huzara, ...	1,622	846	626	513		
Kohat, ...	458	850	428	664		
Total, ...	99,852	1,51,827	34,600	52,760	60,161	88,846

T. Thaneysur.

The strength of the establishment for each district was fixed by Mr. Cust in 1862 at as low a scale as was compatible with efficiency, and although the Courts have managed to prevent arrears accumulating the Judges cannot expect that the work will continue to be performed with the same despatch, or that its quality will improve, unless the judicial staff is increased considerably above its present strength.

I have the honor to be,

Sir,

Your most obedient servant,

T. W. SMYTH,

Officiating Registrar.

DELHI DIVISION.

Lieut. Colonel W. McNeile, C. S. I., Offg. Commissioner.

[*Received on 4th March* 1869.]

PART I.—ORIGINAL SUITS.

2. In Delhi and Kurnal there has been a slight increase in the number of institutions as compared with 1867. In Goorgaon there has been a still smaller decrease. The figures are as follows :—

	1867.	1868.
Delhi, ...	4,935	5,083
Kurnaul, ...	1,932	2,050
Goorgaon, ...	1,710	1,691
Total, ...	8,577	8,824

The Deputy Commissioner of Kurnal thinks that the increase in his district may be ascribed to debtors failing in their engagements owing to severity of season, as there were more cases in the second than in the first half of the year. The fluctuations, however, in none of the districts are such as to call for special comment.

3. The per-centage of ex-parte decisions and dismissals on default is as follows :—

	Ex parte.	*Default.*
Delhi, ...	7·42	7·41
Kurnal, ...	7.	10.
Goorgaon, ...	3·1	11·75

and in these particulars the undermentioned Courts appears to the worst advantage,

		Ex parte.	*Default.*
DELHI, ..	Mr. Venning, ...	39 per cent.	„
	„ O'Brien, ...	25 „	„
	Tehseeldar Delhi, ...		19 per cent.
	„ Bullubgurh, ..		19 „
KURNAUL,	Mr. Purser, ...		15 „
	Naib Tehseeldar Paniput, ...		16 „
GOORGAON,	Colonel Dwyer, ...		60 „
	Mr. Purser, ...		32 „
	Mahomed Sultan, ...		20 „

Colonel Dwyer writes—"The largest proportion (or 60 per cent.) occurred in my own "Court, and this took place towards the close of the year, owing to the disinclination of suitors "to attend the District Officer's Court, where it was held, while on his tour in the interior of "the district, although ample notice was given in every instance of the exact place at which "each case would be called on for hearing."

I have not found this disinclination myself, the parties to an appeal being with rare exceptions as punctual in attendance in camp as in the station. The total number of cases

decided by Colonel Dwyer, who only took charge of the district on the 15th October 1868, was however but 15, too small a number to admit of any special remark being made upon the character of their disposal. The Deputy Commissioners of Delhi and Goorgaon state that Cause Lists are duly maintained in the Courts of their districts. The Kurnal report is silent upon this subject, and I forgot to inquire about it when recently on circuit in that district myself.

4. Of arbitration awards 4 per cent were set aside in Delhi, 7 per cent in Kurnal, and 17 per cent in Goorgaon, a considerable contrast in this last named district to the results of 1867, which shewed no awards whatever set aside. The number of cases referred to arbitration having at the same time been greater in that year, *viz.* 1867, whereas in 1868 there were only 64. In Delhi the number fell to half that of the previous year, 1867, 165 cases, 1868 87 cases. In Kurnal there was but little difference, last year shewing 75 cases and the previous year 72. I believe that effect is very generally given to the provisions of Section 324 of the Act, which require ten days grace to be allowed for objections after the award of arbitrators has been given in.

5. Ordinarily the despatch of cases is rapid enough: the averages for the year being Kurnal 17 days, Delhi 19, Goorgaon 22, but in some of the Courts great delays have taken place. Thus, taking contested cases only, the following average durations are excessive:—

Court of Mr. O'Brien, 79 days,
" Mr. Lennox, 138 days,
" Rae Bunsee Lal, 70 days,

and among the Tehseeldars, in whose Courts no case should ordinarily be more than a month pending, and the average should certainly never approach two months even with a liberal allowance for occasional delay in effecting service of process—

Sookhun Lall, late Tehseeldar Paniput, ... 71 days.
Nujuf Khan, Tehseeldar Delhi, ... 63 "
Naib Tehseeldar Bullubgurh, ... 55 "

No particular explanation can be given of any of the above high averages. Where a District Officer overburdened with miscellaneous duties of all sorts is unable to bring promptitude and punctuality to bear on his civil suit file the explanation may be satisfactory enough, but Assistant Commissioners have not that excuse, and it can very seldom be reasonably urged by a Tehseeldar.

6. The following is the aggregate and average value of original suits for each district:

	Aggregate.		*Average.*	
	1867.	1868.	1867.	1868.
Delhi, ...	8,29,806	9,11,414-0-0	170	199-6-0
Kurnal, ...	2,78,443	1,04,422-3-11	143	62-13-10
Goorgaon, ...	1,10,974	1,02,507-12-8	67	70-15-9

More care in taxing costs is taken in Kurnal than in either of the other districts. Generally speaking only the necessary stamp and tulubana expenses are incurred. The Deputy Commissioner Goorgaon writes—" In respect to costs they are fixed, either wholly or proportionately

"by the discretion of the Courts, with regard to the considerations of equity which may "govern their distribution and according to the circumstances of each case."

7. The proportions in which original suits were distributed among the different classes of Courts are thus:—

	Judges.		Judges.	
	Paid.	*Unpaid.*	*European.*	*Native.*
Delhi, ...	100	...	72	28
Kurnal, ...	97	3	18	82
Goorgaon, ...	98.50	1.50	32	68

In Delhi there are no unpaid Judges. In Kurnal there are two, in Goorgaon there was one—Captain Fuzzul Hoosein, jageerdar of Furrucknuggur, but he died on the 29th April 1868; and judicial powers have not yet been conferred upon his successor. In Delhi the proportion of cases decided by European Judges is affected by the Small Cause Court, in which alone 62 per cent were disposed of, thus leaving but 10 per cent for the Deputy Commissioner and his European Assistants and Extra Assistant. The difference in the results as between Kurnal and Goorgaon is I conceive mainly due to the lighter criminal and miscellaneous work of the latter district; the European staff of both having been about equal throughout the year. In Delhi and Goorgaon the Tehseel Courts had perhaps somewhat too large a share of civil work to perform.

8. The working of Act VIII of 1859 is on the whole satisfactory, but I agree in the remarks made by the Deputy Commissioners of Delhi and Kurnal that the punctuality it requires is not well suited to Courts, such as those of Deputy Commissioners, and occasionally Tehseeldars, upon which a mass of miscellaneous and executive duties devolve. It not unfrequently happens that the officers presiding in these Courts cannot find time to hear a regular civil suit or appeal on the day fixed. They may also even if they have leisure to hear the case be miles away from the place at which the parties and perhaps their witnesses are in attendance, and the legal procedure consequent upon this is productive of inconvenience to all parties. Some amount of latitude and compromise, as described by the Deputy Commissioner Goorgaon, becomes necessary in practice, since the alternative, that of a total separation of the Judicial from the Executive staff, would, by depriving the people of their facile access to the Tehseel Courts, cause greater evils than those now complained of.

PART II.—APPEALS—TO DEPUTY COMMISSIONERS.

9. In Delhi 125 appeals were preferred; in Kurnal 154; and in Goorgaon 101. In Kurnal the number does not materially differ from that of the previous year. In Delhi and Goorgaon there is a decrease of 73 and 91 cases respectively. The average duration of appeals was in Goorgaon 11 days, Kurnal 14, Delhi 53; and the per-centage of reversals of orders of the Lower Courts was, Delhi 21, Kurnal 26, Goorgaon 17. In the last named district 15 per cent. were remanded under Sections 351 and 354 of the Act; in Kurnal 12 per cent; in Delhi less than 1 per cent. The comparison is not on the whole very favorable to Kurnal. Where additional evidence was required it was as a rule taken by the appellate Court.

APPEALS TO COMMISSIONERS.

10. The number of appeals disposed of in my Court was 431, or nearly 100 less than in 1867. Act VII of 1868 is answerable for very little of this decrease, as all cases instituted before the date from which it came into operation were held to be exempt from its provisions, and I can therefore only conclude that the new Stamp Act has had a deterring influence upon litigants, and made them more willing to be content with a single decision of their disputes. It is to be remarked however, that the appeal file of this Court in 1867 was swelled above that of the previous year by just the same number as has fallen off in 1868, the figures for which year are almost identical with those for 1866. No account is taken of miscellaneous appeals in the above statistics. The average duration of appeals in my Court was 12½ days, and the results as follows: per-centage of orders reversed 17·27; ditto of cases returned for re-investigation 12·72.

It is one of these last which appears in the statements as pending since July 1868, and the delay was entirely due to the repeated adjournments granted by the Lower Court. Processes from this Court are served by its own peons, unless the party to be summoned reside at a great distance, when service is effected through the Tehseel Court having jurisdiction. The tulubana rules have ceased to be oppressive since the alteration of that one which required a separate fee for every individual in suits between coparcenary village communities.

PART III.—MISCELLANEOUS.

11. One sale of hereditary in Kurnal and one of acquired landed property in Delhi took place in execution of decree. In Goorgaon none. No case occurred during the year in which effect was given to the provisions of Section 243 or 244 of the Act. The per-centages of the sums realized in execution to the sums due on the decrees are reported as follows:—In Delhi 18¼; Kurnal 31; Goorgaon 58.

12. The tulubana fund shews as was expected a considerable surplus, *viz.*, in my Court 1,258-1-8; in Delhi Rs. 9,132-9-2; in Kurnal 3,314-13-6; in Goorgaon 4,031-7-5; total Rs. 17,736-15-9.

Another Civil Judge might easily be allowed to Delhi out of the tulubana profits alone of that district, and unquestionably this increase is much required; yet just now a stop has been taken in the opposite direction, an officer with full powers having been transferred to Lahore and a younster with none sent to Delhi in his room.

13. I have inspected several of the Tehseel Registration offices, and am able to report that the books are carefully kept and the business properly transacted. A rather unbusiness-like arrangement has howe er been recently introduced, which consists in taking back from the party registering the receipt given him when his deed was received to be copied, and pasting this receipt in its original place beside the counterfoil. The state some of these receipts are in when recovered after some days from the pugree or kumurbund of a laboring Goojur and the appearance they present when restored with a lump of atta paste to the book they were cut out of needs no description.

14. An objection which has been made before me in some villages to the Registration system as now conducted is worth attention. It refers to the facility of personation, and the absence of publicity. An instance was mentioned in which an absentee biswadar was success-

fully personated as vendor, the vendee and witnesses being also strangers to the village, and the fraud only eventually defeated with some difficulty at the cost and annoyance of a regular suit. Obviously there is nothing to prevent the occurrence of this sort of thing, and much regret is expressed at the loss of the old plan under which due notice was always given in the village concerned before a deed of conveyance of landed property was registered.

15. The pleaders practising in this Court deserve, I think, a somewhat more favorable mention than they received last year. Two of them have improved considerably in their knowledge of the Law and in their study of the cases entrusted to them, but there are several of the old regimé, men who have been enrolled because of long standing and without having passed any examination, or at any rate none during the last ten years, and their improvement is not to be expected. Clients have grown shy of employing these men, however, and some of them I have not seen for months.

16. The employment of an officer exclusively on civil duties as contemplated by Book Circular 18 of 1866, can of course only be carried out where there are several officers present. Such an arrangement is not applicable to districts like Kurnal and Goorgaon, where the Deputy Commissioner is assisted at the Sudder Station by only two subordinates, and where, as in Delhi, he has more, it is found that the fluctuation of the criminal work interferes. The Deputy Commissioner reports thus :—" The system of making over all civil work to one assistant was " tried for a time, and I believe worked well, as far as Civil suit was concerned : but a great " practical difficulty was experienced in making over Criminal work to a particular assistant, " inasmuch as police cases fluctuate very violently. Sometimes it was found that the " Criminal Assistant had nothing to do, and at others he was flooded with more Chellans than " he could possibly undertake."

HISSAR DIVISION.

J. Naesmyth Esquire, Commissioner and Superintendent.

[*Received 8th February* 1869.]

PART I.—ORIGINAL SUITS.

Number instituted and on the file.

2. There appears a divisional increase of 5 per cent in the civil litigation for the past year as compared with 1867. In Hissar the increase on suits instituted is 14 per cent. In Rohtuk ·74 per cent. In Sirsa there has been a slight decrease. In the Hissar district the increase was chiefly marked in " ordinary civil suits." In the Rohtuk district, " regular revenue suits " showed the greatest increase, which class of cases in Hissar had decreased by 27 per cent. In both Rohtuk and Hissar " summary suits " had decreased, a result which the Deputy Commissioner of Rohtuk no doubt correctly attributes to the " operation of the new Stamp Act." The Deputy Commissioner of Sirsa considers that the decrease in civil litigation in that district has been caused by the exceptional character of the season, and by the operation of Act XXVI of 1867, the latter influencing money-lenders by making them more cautious and careful to avoid doubtful claims.

It appears difficult to determine with certainty the real causes for such differences. The operation of the Stamp Act, it might have been presumed, would have been rather to check civil litigation, but that it has not had this result is obvious from the experience of the past year, during the whole of which time Act XXVI of 1867 was in force. The only class of suits which appear to have been certainly affected by the Act are those relating to land still known as "summary."

The effect of the Stamp Act on litigation.

It may be assumed that suits regarding rights in land, still called in the statements "regular revenue suits," will gradually decrease; and this is the case in the Hissar and Sirsa districts, as shown by the returns for the year under report. In Rohtuk exceptional causes have operated during the year to produce a contrary result, owing to numerous disputes having arisen between landlords and tenants as to title to right of occupancy by the latter, which are not likely to recur.

Regular Revenue Suits.

There can be no question that the Famine, which has existed with increasing severity in this Division since September last, has powerfully affected civil litigation, and will continue to do so for some time to come. The falling off in suits instituted during the last, as compared with the other quarters of the year under review, is thus sufficiently explained; yet even under such pressure, there is a general increase in suits instituted, and it seems evident that the litigious tendency of certain classes of the population has not received any appreciable check by the augmentation of the costs of litigation.

The effect of the Famine on litigation.

Disposal of cases.

Ex parte decisions.

3. It will be observed that 99·40 per cent of the cases on the file were disposed of within the year. The largest proportion of ex parte decisions appears in Rohtuk; the per-centage of such to disposals for each district is —

Hissar, ...	7·37
Rohtuk, ...	7·45
Sirsa, ...	7·48

The Deputy Commissioner of Hissar offers no explanation on this subject; the Deputy Commissioner of Rohtuk attributes the results "partly to neglect of the Court officials," but gives no further explanation; the Deputy Commissioner of Sirsa makes no remarks. The proportion does not appear to be very excessive in any of the districts, and is about the same as for 1867.

Dismissals on default.

As to dismissals in default, the figures for each district are—

Hissar, ...	9 per cent.
Rohtuk, ...	4 „
Sirsa, ...	13 „

The proportion is somewhat excessive in Sirsa, and large in Hissar. The Deputy Commissioner Hissar gives no explanation. The Deputy Commissioner of Sirsa alluded to the press of work as having interfered with the dates fixed for hearing suits, which may, he conceives (apparently with reference to the Chief Court's Civil Report for 1867, para. 51), "have caused absence of suitors when their cases came on for disposal," but this reason appears altogether far-fetched and unlikely, especially in a district such as Sirsa; a remedy moreover would always be obtain-

able by such persons under Section 119 Act VIII of 1859, on application to the Court; besides, it is not probable that if such delays ever did occur, that any lengthened postponement of disposal of suits ready for hearing took place—the merits of such questions however can only be ascertained by examination of each file, and it would have been more satisfactory if this had been done, than leaving the matter to conjecture.

Cause Lists.

4. Cause Lists are by the Deputy Commissioners of Hissar and Rohtuk reported to be duly prepared by each Court, and this I have found latterly better attended to. In Sirsa there is no allusion whatever made to the subject by the Deputy Commissioner, but it is presumed the instructions are now not neglected.

Suits decided by trial.

5. The proportion of suits decided by trial is for Rohtuk and Sirsa much the same as for the preceding year. In Hissar it is 21 per cent, which is smaller than for the former period. There was a larger proportion of suits decided in favor of plaintiffs, in each district except Hissar. Compromised cases were most numerous in Rohtuk, but there is nothing special to note in this respect in comparison with 1867.

Arbitration.

6. The proportion of suits referred to arbitration was in excess of that for the former year, in each district of the Division; so that the popularity of this mode of adjusting differences would not seem to be on the decline, which I should consider satisfactory. In only one instance was the award set aside in Hissar.

General average duration of cases.

7. The general average duration of cases stands best for the Hissar district. It was not however excessive in any district, though longest in Sirsa.

Aggregate and average value of original suits.

8. The aggregate value of original suits was pretty much the same as that for 1867—there being some diminution in Sirsa and Rohtuk: the average value was highest in Sirsa and lowest in Rohtuk—the per-centage of costs to value was highest in Rohtuk and least in Sirsa.

System in force for taxing costs.

9. Costs were taxed in the prescribed manner.

Number of cases pending at the close of the year.

10. The pending files were creditably clear at the end of the year under review, and no case stood over which could possibly have been settled. All the Deputy Commissioners have very carefully seen to this. The oldest case pending pertains to the Deputy Commissioner's Court of the Sirsa district, and dates from 26th October 1868.

Agency by which original suits were disposed of.

11. The agency by which original suits were disposed of is set forth in the statements, and does not seem to call for any special comment, being much the same as for 1867. The proportion of work disposed of by Tehsildars and Naib-Tehsildars was rather less in Sirsa and Hissar, and rather more in Rohtuk than for the preceding year. At the important town of Bhewanee in Hissar, the proportion of civil suits disposed of by the Tehsildar was large, but this is unavoidable if the convenience of the people is to be considered. Altogether the civil work appears to have been as suitably distributed as was possible under the circumstances of each district; the cases are for the most part of small value; and it is obviously desirable that they should be settled with as little inconvenience to suitors and their witnesses as possible.

The character of the work disposed of.

12. The character of the work has been for the most part good, the decisions of subordinate officers have been inspected both by Deputy Commissioners and the Commissioner.

Working of Act VIII of 1859.

13. As regards the working of Act VIII of 1859, the Deputy Commissioners report that it is, as was to be supposed, becoming better understood and observed.

PART II.—APPEALS—TO DEPUTY COMMISSIONERS.

Number of appeals, and per-centage reversed or modified.

14. Appeals to Deputy Commissioners from orders of their subordinates show numerically much the same results as for 1867. There was a slight increase in Rohtuk. Reversals bore almost the same proportion to disposals as for the former year, except in Rohtuk, where the proportion was larger. The reports of the Deputy Commissioners of Rohtuk and Sirsa, as to whether errors were in fact or law are imperfect. In Hissar the former prevailed. The proportion of remands for re-investigation exceeded that for the former year in Rohtuk and Sirsa, and was less by 11 per cent in Hissar. It has not been distinctly recorded what was the proportion of suits in which issues were referred to the Lower Courts for trial under Section 354 Act VIII of 1859, or wherein fresh evidence was called for. On these points there appears to be room for more precise adherence to the provisions of the Procedure Code, to which the attention of the subordinate Courts will be directed.

Duration of appeals and per centage of appeals remaining for disposal.

15. The average duration of appeals shows most favorably for Hissar, and least so for Sirsa, explanation for which is offered by the Deputy Commissioner. The appeals on the file at the close of the year were few. The oldest appeal pending was of the month of December.

Aggregate and average value and cost of appeals.

16. The aggregate and average value and cost of appeals as shown in statement No. 3 requires no remark.

Petitions for review of judgment.

17. Petitions for review of judgment were presented in the Rohtuk district only, and in the Court of the Extra Assisstant Commissioner at Jhujjur only—there were few such.

Working of the Punjab Appeals Act VII of 1868.

18. The working of the Punjab Appeals Act appears to be satisfactory.

APPEALS—TO COMMISSIONER.

The number of appeals; reversals or modifications; remands for re trial; average duration, &c.

19. The number of appeals to the Commissioner has diminished as compared with 1867. The proportion of reversals or modifications was less by 3 per cent. The greater part of such were for errors in fact. The per-centage remanded for re-investigation or issues for trial was a good deal less than in the preceding year. The duration of appeals was 22 days, to 21 in 1867. Few appeals remained on the file at close of the year. The oldest pending was of the 14th December 1868. The aggregate value of appeals was less than half of that for the former year. The average value was also less. Petitions for review of judgment were few, and none were admitted.

PART III.—MISCELLANEOUS.

Execution of decrees.

Average duration.

Sales of house property.

Sales of hereditary or joint acquired property in land.

Sales of land other than the above.

20. There appears nothing of importance to record in regard to the execution of decrees as compared with the result of 1867. The average duration was not excessive in any district. The sales of house property were most numerous in Rohtuk, of hereditary or joint acquired property in Hissar. There were no other sales of land in execution of civil decrees. The provisions of Section 244 Act VIII of 1859 have not been applied. Under Section 243, the Deputy Commissioner reports one case in the Rohtuk district.

Tulubana Rules.

21. The Chief Court's Circular No. 25 of 1868 is considered to have afforded desirable relief in the direction intended. There appears nothing specially to note in regard to this head.

Working of the system of Record.

22. The system of record enjoined is properly attended to in each district. I consider that Major Forster, Deputy Commissioner, is most distinguished for good English record.

The effect of the Stamp Act on litigation (see para 2).

23. The effect of the Stamp Act on litigation has been elsewhere alluded to.

Arrangements for employing officers exclusively on certain duties.

24. In none of the districts have officers been exclusively employed in one department. The system would not, it is believed, be convenient at present in these districts.

UMBALLA DIVISION.

Colonel R. G. Taylor, C. B., C. S. I., Commissioner.

[*Received 3rd May* 1869.]

PART I.—ORIGINAL SUITS.

Decrease.

2. In every district there has been a small increase in civil suits, and in Umballa and Loodiana a reduction of 360 and 180 in revenue suits. The totals for the two years 1867 and 1868 shew a reduction of only 249 cases, or 1½ per cent. Less variation will seldom occur.

Cause.

3. The cause is no doubt the repressive action of the Stamp Act on suits for land or rent, which was last year in force only nine and in this year twelve months. The increases worth noting seem all due to the prospective operation of the new law of limitation. The drought and scarcity of food has had no traceable effect. It never was very severe.

Character of litigation.

4. Last year the Deputy Commissioner of Umballa made valuable remarks upon the hardship imposed on lumberdars by having to pay tulubana for every defaulter; and perhaps these led to Chief Court's Book Circular XXV of 1868. But the marked reduction in such cases this year, although the tendency on the Civil side was to a slight increase shows what a trifling relief has been afforded. The reason is that

50 defaulters in one season cannot be impleaded in one case. They have to be sued by holdings. I give my opinion on the relief required under heading "Sheriffs' fund."

Disposal of cases.

5. Last year the Chief Court remarked that the dismissal of many cases by default argues unpunctuality in the Judge. While this is generally true, I wish to point out a cause which is sometimes in favor of that Judge. If he carefully examines the plaintiff on his presentation of plaint (though this is not enjoined by the Code) that party goes away seeing difficulties in gaining his suit, which the petition writer had given him no warning of, and is inclined to a compromise. There is no encouragement to compromise equal to such a close examination. This seems to be the case with Poloo Mull, Naib Tehseeldar of Jugraon. He has only decided 9 cases ex parte; that is, defendants generally attended his Court; but he has decided 74 by default; that is, plaintiffs did not return to his Court; and there are fewer appeals from him than from any Judge. The total number decided by Honorary Magistrates is too small to allow of any inferences from their per-centages.

Arbitration.

6. Arbitration under Act VIII must nearly cease. There will probably be very few next year; partly because private arbitration has so often been tried unsuccessfully before the case comes into Court, and partly because one of the two parties is so likely to prefer a decision by the Judge. In Umballa there are little more than half as many such cases, compared with last year.

Duration.

7. The chief causes of delay in the decision of cases are—1st, the transfer of officers; and, absence of witnesses. More harm would be done than good by pressing for greater speed.

Taxation of costs.

8. The Courts have been repeatedly urged not to allow unnecessary costs; but the great fault under this head, and a main cause of unpopularity of our own, and I believe all other Courts, is the not decreeing costs enough. Very few witnesses get anything, if anything, one or two meals; often they come with their friend, and refuse his money. But they would not do this if they thought their friend would get the money out of the other party, and they blame the tedious Courts for their loss of several unremunerative days. Every litigant and witness ought to be allowed liberally for his time, as well as for diet and *bonâ fide* expenses, under Section 151 of the Code, and this should be charged as costs whether the witness received it or not. The litigant was liable to pay it, and the witness had a right to receive it.

Arrears.

9.

District.		Pending.	Date of oldest case.
Umballa, ...	1867,	212	20th August 1867.
	1868,	218	18th June 1868.
Loodiana, ...	1867,	146	31st October 1867.
	1868,	302	7th November 1868.
Simla, ...	1867,	50	1st August 1866.
	1868,	44	9th September 1868.

These are not heavy nor old. Loodiana explains satisfactorily its recent increase in arrears.

Agency.

10. Much the same remarks are made under this head every year. Every officer has to work as hard as he ought, and the Tehseeldars harder. The remedy is to separate the Judicial and Collectorate work from the grade of Tehseeldars downwards, leaving them united in the higher grades.

Character of work.

11. This is also noticed under "records" and "issues," further on. That of the European officers is excellent on the surface. Some of the younger officers failing in examination of witnesses, and from ignorance of native habits; that of the Native Extra Assistants very inferior on the surface, but not so unsatisfactory in results. In appeal I often have to agree in the decisions of the lower Courts, though I have followed a more logical line of reasoning. On the whole, the work of the more experienced Europeans is really the best, and the next best is the work of the Naib-Tehseeldars. The elderly natives are not improvable.

Inspection.

12. I believe this to be very thorough, chiefly no doubt through appeals.

Small Cause Courts.

13. Attention is drawn to the strong praise of the Simla Court by the Deputy Commissioner, and to the remarks by Captain Gurdon of the inevitable unpopularity of a just Court among Europeans in India contending with natives.

Working of Act VIII of 1859.

14. We have all acknowledged our obligations to this Act several times over. All the faults which arise except in technical points, appear to be based on a too harsh application of some of its optional provisions to ignorant people. It is chiefly smart young English officers who press the Act down hardly upon all men equally. If they will make their Reader find out that the written plaint expresses what the illiterate man wants to say, and will help him to judge what witnesses he ought to summons, and documents to produce (though not bidden to do either by the Code); will summon witnesses when the party agreed to bring them, and finds they wont come at his bidding, or when there are any whom he ought to have summoned and did not, and will be somewhat easy (with such men) in accepting excuses under Section 119, the Code will then suit the low as well as the higher litigants.

PART II.—APPEALS TO DEPUTY COMMISSIONERS.

15. These have decreased; so have appeals to the Commissioner, but not in the same ratio, evidently owing to the great number of officers with full powers on the one hand, and finality of decision of two concurrent Courts on the other. With reference to the remarks by Deputy Commissioner Loodiana, it is fair to observe that appeals from the Sudder Tehseeldar always are double those from any other, simply because the appellate Court is near. It is the same in Umballa and in the Commissioners' Court. The per-centage of appeals decided in favor of appellants is the test of the officer's work, as far as statistics supply a test.

The average duration at Loodiana, 6 days, is remarkably low, and creditable; though perhaps partly explained by the Deputy Commissioner by his care in having records of decided cases sent quickly to the sudder.

The per-centage in favor of appellants and of modifications show, what I can also attest, that justice has not been sacrificed to obtain this rate.

The duration of appeals is high at Umballa, but I believe the work of the Deputy Commissioner of Umballa to be among the heaviest in the province.

The new finality of decision in appeal has caused a conscientious care in deciding.

Reviews.

16. Applications for review of judgment on account of the discovery of new evidence can very seldom occur. Every application I have seen has been a summary of the argument already used in the applicant's favor.

APPEALS TO COMMISSIONER.

17. Finality of appeal of two concurrent Courts and a slight reduction in original suits have reduced appeals by 119 out of 1,219, while the number disposed of is 119 more than last year, owing to there being no arrears now.

The Court having its head quarters at Kussowlee somewhat discourages appeal, and not unwholesomely. Returns for re-investigation also are increased by it, but are very few since the 1st May, i. e. since the introduction of Sections 351 and 354 of Act VIII into the Punjab.

The duration of my appeals will perhaps not be above the average in the Punjab, but it should be lower, and would be but for the interval of 25 days which elapsed between Colonel Cripps' removal and my arrival, and by the accumulation then made.

If the average duration of cases instituted in the last 6 months be taken, it is 22 days.

PART III.—EXECUTION OF DECREES.

18. The proportion of amount of decrees realized has been—

			in 1868	in 1867
In Umballa,	..	..	27	27
„ Loodiana,	..	..	57	65
„ Simla,	..	...	16	13 per cent.

The circumstances of Simla are peculiar: three decrees alone amounting to a lakh of rupees, out of a total to be realized of a lakh and 65,000 Rs. One cause of Loodiana realizing better than Umballa is that it is wealthier for its area, having a large city which Umballa has not; another may be that it is less intersected with foreign states. Section 143 of the Code, which secures to creditors the profits of land when its sale is interdicted or postponed, might be more acted upon in a year of scarcity.

Sheriffs' fees fund.

19. The total receipts of Tulubana in this Division is Rs. 30,062. The balance unspent Rs. 18,904. The relief to suitors most needed is that in all cases in which either party summonses more than one person from the same village, or town of not more than 5,000 inhabitants, only one fee should be taken. This would greatly lower the receipts but still would leave a profit.

Postage fund.

20. The postage fund just covers its expenses.

Registration.

21. Deeds registered have increased 29 per cent. No more Registrars are required. Compulsory registration of deeds of adoption would be a good thing. It is a pity the Act does not require a note to be made of the peculiarities of the person of the grantor of the deed. False personation is becoming common.

The provision in Judicial Commissioner's Circular 11—29 of 1859 that all bonds of Rs. 50 or upwards be registered, was excellent; and it is a pity that that is no longer compulsory.

22. The provision that memorandum books be not received in evidence was too stringent. It required more education than the province possessed. It would have been utterly ruinous to small money lenders had not it been evaded in practice. No officer probably refused to inspect such books, and the opinion they came to as to the value of the oral testimony received was very much based upon that inspection. Such books should be received in evidence, and their value estimated by the Judge.

Records.

23. The records of Captain Gurdon, Mr. Roberts, and Lieutenant Parker are the best in English.

The English officers all draw issues pretty fairly, though one wrote as an issue "what do the townspeople think of this case"; but there is not I fear a single native who can do so in particular. I have only lately seen a very few cases in which they record upon whom is the burden of proof. Their usual formula is whether * * * (plaintiff's statement) * * * is true, * * * or whether * * * (defendant's statement) is true; consequently the parties have a very indefinite idea as to what they are to produce evidence to prove.

Stamp Law.

24. I do not think the heavy stamps required are too much. They have repressed litigation, but not unduly. The Courts must be paid.

Pleader's Act.

25. The Pleaders and Mookhtiars Act has had no effect at all as yet.

PART IV.—SOCIAL ASPECT OF CIVIL COURTS.

26. This Division has peculiarities in its criminal cases, but none in its civil. Betrothals among Hindoos when complete were irrefragable. We have lowered the value of the rite, and there is no remedy to the occurrence of breaches except registration, which would be very onerous, or abolition of the rite. A betrothal is a bad thing; if the girl is old enough she ought to be married, if she is not she ought not to be betrothed.

PART V.—GENERAL.

27. Capt Tighe has suggested that the Civil Courts be closed during the touring season. I think they might be closed during August, September, February and March, without inconvenience to suitors, and to the great convenience of Judges and Clerks and the improvement of other branches of work.

The above report has been written at my request by Colonel Young, who had presided over the civil appeal Court for the best part of the year.

Colonel Young has since left to take up the Officiating Commissionership of Umritsur.

JULLUNDUR DIVISION.

T. D. Forsyth, Esquire, C. B., Commissioner.

[*Received 23rd February* 1869.]

PART I.—ORIGINAL SUITS.

Number instituted and on the file.

As compared with last year, there has been an increase of 5,943 or 20 per cent in the number of suits instituted in the districts of this Division.

The increase has been very general as regards Civil suits, as the following table will illustrate :—

Description of suits.	Jullundur.		Hoshiarpoor.		Kangra.		Total.		Differences.
	1867.	1868.	1867	1868.	1867.	1868	1867.	1868.	
Civil, ...	9,060	10,264	8,625	13,367	3,045	3,624	20,730	27,255	+6,525
Regular Revenue, ...	1,176	1,159	2,451	2,311	612	772	4,539	4,242	— 297
Summary, ...	249	190	248	69	58	11	555	270	— 285
Total, ...	10,785	11,613	11,324	15,717	3,715	4,407	25,824	31,767	+5,943

In Jullundur the increase is said by the Deputy Commissioner to be due to the new law of limitation.

For Hoshiarpoor Mr. Perkins remarks that—"The causes are (1) the introduction of "Act XIV of 1859 from 1st January 1869; (2) a report, which was extensively cir-"culated, as Mr. Donald remarks in his report accompanying, that after January 1st "bonds written on the old red stamp would be valueless." The new limitation law is assigned by the Deputy Commissioner of Kangra also as the principal cause of the increase in his district. The Jullundur and Hoshiarpoor Small Cause Court Judges remark regarding the rush of cases instituted on the four last days before the Christmas vacation. In Jullundur upwards of 700 plaints were filed during the last ten days of December, and the institutions for the month were 912.

Disposal of cases.

2. The number of cases decided *ex parte* was—

Jullundur,	..	..	..	403 or 4 per cent.
Hoshiarpoor,	..	..	..	320 or 2½ „
Kangra,	..	..	..	139 or 3⅓ „

Total for the Division 862, or 3⅔ per cent on the entire number disposed of.

Those dismissed in default were—

Jullundur, ...	1,718 or 27	per cent.
Hoshiarpoor, ...	1,206 or 11	„
Kangra, ...	390 or 12	„

or 3,314 in the entire Division, giving a per-centage of 15 on the disposals.

In 1867 the per-centages for the Division under both those heads were 11 and 3 respectively. The proportion of cases dismissed in default was highest in the Jullundur Small Cause Court, viz., 777 out of a total of 3,180 disposed of, or 23 per cent. No special cause is assigned for this, either by the Deputy Commissioner or the Judge of the Court.

The Deputy Commissioner of Jullundur does not mention anything in regard to the keeping up of cause lists in his district.

The Deputy Commissioner of Hoshiarpoor shows that it is practically impossible to attend to this, and other just as necessary details in his district owing to the immense quantity of work imposed on his staff of officers, and which latter is greatly inadequate to the requirements of the district.

In the Kangra district cause lists are said by the Deputy Commissioner to be well kept up at the Suddur, and to be in use in Tehseels also.

Arbitration.

3. The following tabulated form will best show the results under this head :—

District.		Unreservedly confirmed.	Partly confirmed.	Set aside.	Total.
Jullundur, ...	1867, ...	827	31	7	865
	1868, ...	560	...	4	564
Hoshiarpoor, ...	1867, ...	513	...	26	539
	1868, ...	429	...	...	429
Kangra, ...	1867, ...	265	13	...	278
	1868, ...	198	...	...	198
Total, ...	1867, ...	1,605	44	33	1,682
	1868, ...	1,187	...	4	1,191

Arbitration is evidently less and less resorted to each succeeding year. As remarked by Mr. Perkins in his report, it only shows "how little the people trust each other in comparison with the trust they repose in our Courts".

General average duration of cases.

4. In Jullundur the average duration was 18 days to 20 in 1867. In Hoshiarpoor 11 days and in Kangra 18 days. The Deputy Commissioner of Hoshiarpoor states that "the average duration of cases is as good as can be expected." I am of opinion that it is remarkably low, considering that of the other two districts, and the fact that more cases were disposed of in this district alone during

the past year than in the Delhi and Hissar Divisions put together in 1867, according to the statistics shown in last year's Provincial Civil Report.

Aggregate and average value of original suits and per-centage of costs to value.

5. The following table will show these points in detail. With regard to the necessary explanation under this head, I beg to refer to the several district reports, in which all that is necessary is stated, and which it would be useless for me to recapitulate here. I would only draw attention to the fact that the aggregate value of suits has increased by Rs. 2,07,072 over that of last year, and the average value by Rs. 3, or 16 and 7 per cent respectively.

Description of suit.		Aggregate value of suits.				Average value of suits.				Average value of costs of each suit.				Per-centage of costs to value.			
		Jullundur.	Hoshiarpoor.	Kangra.	Total.	Jullundur.	Hoshiarpoor.	Kangra.	Total.	Jullundur.	Hoshiarpoor.	Kangra.	Total.	Jullundur.	Hoshiarpoor.	Kangra.	Total.
Civil suits,	1867,	4,85,282	3,92,588	1,09,521	9,87,391	56	47	37	49	6	6	5	5	10	13	12	11
	1868,	5,43,664	4,46,327	1,23,682	11,13,673	62	41	37	48	8	6	5	6	13	14	14	13
Regular Revenue,	1867,	50,785	71,571	8,959	1,31,315	36	31	15	30	5	5	2	4	13	18	15	15
	1868,	1,03,181	1,00,452	14,737	2,18,370	92	18	20	53	14	8	4	9	16	4	18	17
Summary,	1867,	8,382	4,513	735	13,630	34	18	13	24	2	2	13	2	7	13	6	9
	1868,	6,103	1,125	137	7,365	33	16	12	27	5	3	2	3	14	17	18	11
Total, ...	1867,	5,44,449	4,68,672	1,19,215	11,32,336	52	43	33	45	4	4	7	4	10	13	12	12
	1868,	6,52,948	5,47,904	1,38,556	13,39,408	64	41	33	48	8	6	5	7	14	23	16	13

In the Jullundur district costs are taxed in accordance with Circular 83 of 1861, and are further checked on the preparation of decree sheets under Section 189 Act VIII of 1859.

The Deputy Commissioner of Hoshiarpoor remarks that "the system of taxing costs is.....that which has always prevailed."

In Kangra also the procedure prescribed under this head by Circular 83 is reported to be adhered to.

Number and per centage of cases pending at the close of the year.

6. The number of cases pending in the three districts of this Division at the close of the year under report is as follows :—

Jullundur, ...	1,961
Hoshiarpoor, ...	3,065
Kangra, ...	406
Total, ...	5,432

The respective per-centages on the number for disposal are 16, 20 and 9, and for the Division 16 per cent.

BENGAL SECRETARIAT

These results compare very unfavorably with last year's, and no special reasons are assignable except the great and gradual preponderance of institutions over preceding years, and the inability of the present weak staff of officers to cope with them, especially in the Hoshiarpoor and Jullundur districts; and this fact is well known to the Chief Court and Government, as I have more than once brought it prominently to notice.

The Deputy Commissioners of Jullundur and Kangra furnish the needful explanation in regard to the cases pending more than two months in the Courts of their districts, and no further remarks are required on my part. The only explanation Mr. Perkins is able to give of the cases of this description in the Hoshiarpoor district is that "13 men are expected to do the work of 18 and cannot do it."

Agency by which original suits were disposed of.

7. The following table shows the agency by which original suits were disposed of, and the average number of suits decided by the officers of each grade in this Division:—

Officers.	Number of original cases decided.	Average number of cases decided by officers of each class.
3 Deputy Commissioners, ...	88	29
6 Assistant Commissioners, ...	1,226	204
2 Extra Assistant Commissioners, European,...	833	416
4 Ditto ditto Native, ...	3,752	938
13 Tehseeldars, ...	9,361	720
13 Naib Tehseeldars, ...	4,189	322
2 Honorary Civil Judges, ...	204	102
2 Judges of Small Cause Courts, ...	7,036	3,518
1 Do. of Cantonment Do., ...	654	654
Total, ...	27,343	...

9,837 or 37 per cent of the original suits disposed of were decided by European Judges; and 17,506 or 63 per cent by native Judges.

As usual, by far the largest proportion of cases was decided by Tehseeldars and Naib Tehseeldars, viz 13,550 or 49 per cent.

In the Jullundur district, the officers at head quarters, 7 in number, decided 5,752 cases out of 10,105, or 57 per cent. The Tehseeldars and Naib Tehseeldars, 6 in number, 4,353 cases or 43 per cent. The whole of the work was disposed of by paid Judges: there are no unpaid ones in the district.

In Hoshiarpoor the head quarters Courts decided 3,082 or 23 per cent of all the cases for disposal. Tehseeldars decided 6,185 or 47 per cent and the Small Cause Court (which also may be considered a head quarters Court) 3,856 or the remaining 30 per cent.

In Kangra, in like manner, the officers stationed at the suddur disposed of 899 or 22 per cent; Honorary Civil Judges (of whom there are two in this district, the Rajahs of

Seeba and Nadown) 204 or 5 per cent; and Tehseeldars and Naib-Tehseeldars 3,012 or 73 per cent.

In regard to the very great preponderance of work disposed of by Tehseeldars and Naib-Tehseeldars in this district, Major Paske says—"About 73 per cent of the work was "disposed of by Tehseeldars, nor do I think this per-centage too high, for the Kangra "district: in so unusually large a district and in this mountainous country, where the "Tehseels are some of them at such long distances from the suddur, where a severe climate in "winter and flooded mountain torrents in the summer months renders locomotion far more "difficult than on the plains, it is desirable to refer litigants as much as possible to the "Courts nearest their homes.

The very trifling nature and amount of the majority of the cases is also assigned as an extra good reason why the bulk of the Civil work should be borne by the Tehseel Courts.

The entire number of cases disposed of in this Division, with the exception of 5 per cent in the Kangra district alone, were decided by stipendiary Judges.

In Kangra, the decisions of subordinate officers, especially Acting Tehseeldars and Naibs, are said by the Deputy Commissioner to have been inspected by him to a considerable extent. In Hoshiarpoor, Mr. Perkins had no time to attend to this matter except only during the month of September, when he inspected a number of cases from the Courts of every one of his subordinates. In the Jullundur district, though this point is omitted to be mentioned in the Deputy Commissioner's report, I am aware from personal observation that a strict and careful supervision was always exercised by Mr. Elsmie, who officiated during the greater portion of the year under report, over the work of all and every one of his subordinates; and there can be no doubt but that an officer of Major Hall's (the present Deputy Commissioner) experience, does not either neglect so important a matter.

Small Cause Courts, District and Cantonment.

9. The District Small Cause Courts of the Division maintain their popularity, and have worked with their usual success under the experienced officers that have presided over them. I submit in original the reports of the Judges. In addition to the primary duties, both the Small Cause Court Judges have assisted materially in disposing of cases in the exercise of their powers as Assistant Commissioners.

In Hoshiarpoor, Mr. Donald held charge of the Treasury also during a portion of the year, and took up a good deal of Criminal work, as will be seen from the Annual Criminal Returns of this district.

No special report has been furnished of the working of the Cantonment Small Cause Court at Jullundur, nor does the Deputy Commissioner allude to the subject. There were 657 cases for disposal during the year, and all but 6 were decided.

Working of Act VIII, of 1859.

10. I extract the remarks given by the Deputy Commissioners in their reports in extenso :—

Jullundur.—[The working of the Act] "has been satisfactory. There is a tendency, "chiefly on the part of the Tehseel Courts, to appoint Commissioners irregularly, without "due regard to the fact that sections 180 and 181 only provide for the appointment of "Commissioners to make local investigations or to investigate accounts. This has been "checked, and will it is hoped not occur in future."

Hoshiarpoor.—"Act VIII of 1859 is admirable. The power of issuing Commissions "under Section 181 is however apt to be greatly abused, and instructions have been issued "to warn Judges against delegating their functions, in the matter of taking oral evidence, "to a Mohurrir in order to save themselves trouble. It was pointed out to them that Section "180 primarily applies only to cases where inspection, and evidence based on that inspection, "is indispensable to a right apprehension of the case, and should rarely be put in force for "anything else, and certainly not when the fact in dispute is a mere payment of money, "execution of a deed, &c."

Kangra.—"The provisions of Act VIII of 1859 are now generally understood, and "the experience gained year by year renders the working of the Act the more easy. On the "whole it may be said that the Act works well, and in a satisfactory manner: its provisions "ensure uniformity and despatch in the disposal of business. The weak points in the Act "appear to me the too great facilities afforded for careless officers to dispose of cases by "ex parte trials and dismissals on default, and the difficulties attending the attachment and "sale of property in other districts in executions of decrees. Section 324 of the Act is a "stumbling block that will always prevent the provisions of Chapter VI from becoming "popular with litigants; and as stated above, I opine that resort to arbitration will fall off "year by year. Finality of decisions as contemplated in Section 324 is a power the people "will not place in the hands of arbitrators selected by themselves. It is true arbitration "awards may be set aside under certain conditions, but these conditions involve the burden "of almost impossible proof by the applicant."

PART II.—APPEALS TO DEPUTY COMMISSIONERS.

953 appeals were preferred to the Deputy Commissioners of this Division during the year.

Including 22 appeals pending on the 1st of January 1868, the total number of appeals for disposal by Deputy Commissioners was 975, of which 921 or 94 per cent were decided during the year, leaving 54 or 6 per cent pending at the close of December 1868.

For the other details under this head a reference to the district returns and reports will be sufficient.

Working of the Punjab Appeals Act (VII of 1868.)

11. This Act is reported to have worked well, so far as it has gone, but its effects will be more apparent after it has had a sufficient trial, which cannot be said to be the case as yet, as it was only introduced in the first half of the year under report.

APPEALS TO COMMISSIONERS.

The number of appeals for disposal in this Division during the year was 1,123 to 1,139 in 1867, and these were disposed of thus—

Withdrawn, transferred or struck off, ...	61
Decided in favor of Appellant, ...	168
" in favor of Respondent, ...	510
Remanded for further investigation, ...	101
Total, ..	840

Leaving 283 pending at the close of the year.

PART III.—MISCELLANEOUS.

In last year's report allusion was made to the unmixed good which resulted from the abolition of the special agency for disposing of betrothal cases. These special tribunals were created in 1853, with the sanction of the Judicial Commissioner and Chief Commissioner, and with the hearty approval of the present Lieutenant Governor; they worked with varied success, according to the interest taken in them, and the supervision exercised by the various District officers; but in 1867, they were summarily abolished by the declaration of their illegality by the Chief Court. I observed, however, that in the statement of objects and reasons for introducing the Bill to empower the Local Government of the Punjab to invest any person with the powers of an Assistant Commissioner and for other purposes, these tribunals were alluded to, and if properly established and superintended, they might render the aid which the Judges of the Chief Court desire in disposing of the most unsatisfactory class of suits instituted in the Civil Courts of this Province. But if District officers do not look after them, and desire their abolition, they, of course, soon become an intolerable evil.

One great feature of this agency which has been condemned, was the registration of all betrothals, without which no cases could be heard.

Major Paske now puts forward this very measure as if it were a new proposition, most desirable to be carried out.

PART V.—GENERAL.

Working of Act VIII of 1859.

There can be no doubt, I think, as to the benefits to the Judges conferred by the proper application of Act VIII of 1859. Whether the benefits to the people are so great is another matter, on which I fear the general opinion is not quite so satisfactory, though the causes for dissatisfation are chiefly attributable to the general ignorance of the people. To work the Act properly Pleaders or Notaries are required who shall guide suitors amidst the shoals of procedure. In former days a simple suitor presented a petition and so got a *locus standi* before the Judge, who took the trouble to put right any informality, and who sought to do justice, without reference to procedure. Now, however, the petitioner cannot hope for a hearing till he has complied with all the provisions of the Code, and many are the errors into which even educated suitors who have not specially studied the Code fall. All this does not necessarily prove that the Codes are in themselves faulty, but it shows that until the reformed legal structure is finished in all its parts, we must not be surprised if the people are not in favor of these Codes.

Whether the multiplication of Pleaders all over the Province be a blessing or an evil is a question I need not now discuss, but I think some kind of agency for affording legal advice is a certain concomitant on the introduction of these Acts.

* * * * * * * * *

Mr. Perkins writes very unreservedly on the evils said to be created by the new Registration Act Certainly the section which gives to a registered bond, the full force of a decree is a most dangerous weapon to place in the hands of the money-lending class, who deal with simple ignorant debtors.

With reference to this subject and the popularity of our Courts, I forward an extract from a report made by Extra Assistant Commissioner Jaishee Ram, who was deputed to enquire into the cause of distress in certain villages of the Hoshiarpoor district.

After reporting on their condition he says—

"They made some complaints, curious, though not without truth—

"1*st*. That the proceedings of the Small Cause Court are most heavily felt by the "zemindars.

"2*nd*. That the bankers are too unmerciful in their dealings.

"They said that the sale of cattle and especially of bullocks is most injurious to them "I know somewhat the bankers of this as well as of other countries. They are indeed very "hard and harsh, their treatment towards the zemindars is most objectionable.

"1*st*. The rate of interest common among them is two and half per hundred per "month, or Rs. 30 per annum, which entirely swallows the principal before the lapse of three "years.

"2*nd*. All the bankers being of limited wealth, are indeed very strict in recovering "their debts, without any thought having had to the welfare of their debtors.

"3*rd*. The appointment of Small Cause Courts. The invention of registration has "given a new life to the money dealers, for, by the former laws the old debts were scarcely "heard in our Courts, but now the bankers do not come in Court to recover an old debt until "they have managed to cause the execution of the bond for it duly registered, &c., and thus "obliging the Courts to have no other choice than in decreeing the amount.

"4*th*. By the new laws the bullocks or other instruments of husbandry are sold to "satisfy the revenge of the bankers against the debtor who has been so bold as to resist "their demand."

AMRITSUR DIVISION.

Lieutenant Colonel R Young, Officiating Commissioner.

[*Received* 17*th May* 1869.]

I have the honor to submit the Annual District Reports and Statements connected with the Civil Administration of this Division, for the year 1868, premising that, as I did not assume charge of this Division until the 20th of April 1869, my remarks must necessarily be confined to a review of the statistics furnished by the district officers.

Increase or decrease in litigation.

2. In Amritsur the increase is assigned, by Deputy Commissioner, to the introduction of the new Limitation Act, and to Pergunnah Buttala, which contains a litigious population, having formed a part of the district for only three months of 1867, after which it was transferred to Amritsur in lieu of Pergunnah Reya transferred to Sealkote. The Deputy Commissioner Goordaspoor attributes the decrease in his district to the latter of the two causes mentioned by Deputy

Commissioner Amritsur, to the increased stamp duty in Revenue suits, and to the scarcity which prevailed during a portion of the year. He considers that this cause would have operated to have effected a still greater reduction had its tendency to effect this not been counteracted by the new limitation law.

The Deputy Commissioner Sealkote ascribes the increase in his district to the limitation law.

3. The fact seems to be that in number of cases instituted, less transfers, there is an increase in each district. The returns for 1867, are as follows :—

	Instituted.		*Received by transfer.*		*Lost by transfer.*		*Balance.*
Amritsur, ...	11,209	+	231	—	106	=	11,334
Goordaspoor, ...	5,101	+	1	—	2	=	5,100
Sealkote, ...	8,571	+	15	—	2	=	8,584

A passage at page 35 of the printed report, shows that cases belonging to Buttala were some of them transferred with that Tehseel, and I remember that such is the fact. I will not delay this report to ascertain whether such cases were also deducted from institutions; but apparently about 231 ought to have been acknowledged as transferred from Goordaspoor and about 106 as received by Sealkote. If we include Buttala in Amritsur and exclude Reya from it for the whole of 1867, the comparison of instituted cases for the 2 years will be nearly as follows :—

	Amritsur.	*Goordaspoor.*	*Sealkote.*
1867, ...	11,334	5,100	8,584
	+727A	—958	+406
	12,061	4,142	8,990
	—300B		
	11,761		
1868, ...	—14,328	4,339	9,355
	+2,567	+197	+365
	= 22 per cent.	5 per cent.	5 per cent.

A—727 + 231 = 958 } Cases in Buttala and Reya instituted in January to
B—300 + 106 = 406 } March 1867, or nearly so.

4. I attribute the great increase in Amritsur, as compared to Goordaspoor and Sealkote, to the sharpness of the men of the great city in understanding the Limitation Act. In Amballa, which has no city, there is a decrease in cases this year.

5. Amritsur Deputy Commissioner's suggestion for securing a more reliable return of classification of suits appears too onerous, but clerks might do it and the officers inspect a small per-centage of cases and see that it is done right.

"I think it would be well if the Chief Court were to issue detailed "instructions stating precisely what suits are to be included under "each heading, and to direct Judicial Officers to enter on each file "with their own hands after passing judgment the heading under "which the suit would be most appropriately included."

6. Of 8,440 contested cases tried in the Courts of the 3 districts, 5,907 were decided in favor of plaintiffs, and 2,533 in favor of defendants.

Disposal of cases.

7. The following entries shew the manner in which the cases were disposed of :—

	Sealkote.	*Goordaspoor.*	*Amritsur.*
Per-centage of cases withdrawn and transferred,	14·7	2·19	2·4
„ dismissed on default, ...	15·4	24·84	18·
„ decided ex parte, ...	6 5	2·53	6·4
„ by confession and compromise, ...	35·	30 74	33·5
„ by arbitration, ...	4·	2·11	3·2
„ by trial, ...	24 4	37·59	36·5

8. The per-centage of cases struck off on default is high in Goordaspoor; and from what Deputy Commissioner mentions, this seems, to a certain extent, attributable to the too hasty action of the Courts. Deputy Commissioner Amritsur seems to think that the high per-centage of suits dismissed on default is owing to claims being settled out of Court; but until statistics are supplied regarding applications for re-admission no correct opinion can be formed as to the cause of this high per-centage.

9. District reports contain names of officers by whom cases decided ex parte were above the average.

10. Cause lists are kept up in all the districts, but Deputy Commissioner Sealkote states that press of business precludes the regulation of the cause list beyond the ensuing 4 or 5 days. It ought not to do so. Dates should be appointed even though it often happens that when the appointed day comes the case has to be adjourned.

11. *Arbitration.*		*Amritsur.*	*Goordaspoor.*	*Sealkote.*
No. of cases decided.	1867, ...	489	111	398
Ditto.	1868, ...	407	84	365

Of the above, in only 2 cases of the Amritsur, and 1 case of the Sealkote, district were the awards set aside.

12. Deputy Commissioners Amritsur and Goordaspoor object to the finality given by law to the awards of arbitrators. The evil is curing itself by a yearly diminution in the number of cases so decided, by more circumspection in their selection, and therefore more trustworthy awards; but I think the Judge should be allowed to set aside any award he considers wrong, even though corruption or misconduct be not imputed to the arbitrators.

General average duration of cases.

13. Amritsur 21 days, Goordaspoor 25, Sealkote 17.

The average duration cannot be considered excessive. In Goordaspoor it is high; but it is an improvement on last year.

14.

Aggregate and average value of original suits and per-centage of costs to value.

	Amritsur.	*Goordaspoor.*	*Sealkote.*
Aggregate value, ...	8,58,105-0-0	1,79,914-0-0	3,92,613- 0-0
Average value, ...	78-2-0	44-7-8	42-13-6
Per-centage of costs to value,	9-2-6	13-0-0	14-15-6

15 It would be more satisfactory to see costs higher—witnesses ought to be paid handsomely and their pay included in costs. This would remove most of the unpopularity of our Courts. If not heard upon the appointed day the Judge should pay him for the extra days out of Talabana, and then ask for sanction to the charge. This would bring very sharp supervision to bear upon the cause lists, and make litigants careful not to summon men unnecessarily.

16.

No. and per-centage of cases pending at the close of the quarter.

Amritsur,	...	...	2,160 or 14·3 per cent.
Goordaspoor,	...	...	462 or 10·38 „
Sealkote,	...	...	424 or 4·4 „

The per-centage in all three districts is higher than last year. This is, in a great measure, due to the number of suits instituted being greater. It will be seen from Deputy Commissioner Goordaspoor's report, that the limitation law caused a rush to be made towards the close of the year, which resulted in a heavy pending file.

Cases pending above 2 months.

17. In Amritsur, the cases pending above 2 months were 64, in Goordaspoor 16, in Sealkote 5. Explanation regarding them will be found in the district reports.

Agency by which suits were disposed of.

18.

	Amritsur.		Goordaspoor.		Sealkote.	
	No. of cases.	Per-centage	No. of cases.	Per-centage.	No. of cases.	Per-centage
By Deputy Commissioners, ...	12	0 09	17	0·43	11	0 12
„ European Asst. Commissioners,...	1,112	8·6	1,045	26 22	923	10 07
„ do. Extra Asst. ditto, ...	172	1·3	...	...	...	...
„ Native Extra Asst. ditto, ...	1,199	9 3	477	11·97	1,004	11
„ Judges of Small Cause Courts, ...	4,430	34·4	...	...	...	...
„ do. Cantonment ditto, ...	...	...	...	...	942	10·28
„ Tehseeldars, ...	4,378	34·0	1,330	33 37	3,522	38·40
„ Naib Tehseeldars, ...	1,026	7·9	1,116	28·01	2,753	30 05
„ Honorary Civil Judges, ...	540	4·1	...	...	7	0 08

The distribution of work seems fair. Tehseel Courts were not over burdened.

No. and proportion of suits decided by,

19.

	Amritsur.		Goordaspoor.		Sealkote.	
	No.	Per-centage.	No.	Per-centage.	No.	Per-centage.
Paid Judges, ...	12,329	95·8	No cases were disposed of by Hony. Civil Judges in Goordaspoor.		9,155	99·92
Unpaid Judges, ...	540	4·2			7	0·08
European Judges, ...	5,726	44·5	1,062	26 65	1,876	20·47
Native Judges, ...	7,143	55·5	3,965	73 35	7,286	79·53

Working of Act VIII of 1859.

20. I have given my opinion in the Umballa report of this year.

APPEALS TO DEPUTY COMMISSIONERS

21.		*Pending.*	*Instituted.*	*Total.*
No. of appeals.	Amritsur, ...	105	383	488
	Goordaspoor, ...	21	221	242
	Sealkote, ...	3	269	272

	Amritsur.	*Goordaspoor.*	*Sealkote.*
No. disposed of, ...	291	229	270
Per-centage reversed or modified, ...	11·68	19·21	11

22. In Amritsur the reversals were on account of error in fact, with exception of one reversed for error of law Deputy Commissioners Goordaspoor and Sealkote have not supplied information on this point.

Appeals returned for further investigation.

23. In Amritsur 22·3 per cent of cases were returned for further investigation, in Goordaspoor 16·15, and in Sealkote* 29 per cent. Regarding cases returned under Sections 351, 354 and 355, 356, information has not been supplied, except by Deputy Commissioner Goordaspoor, who states that in 7·86 per cent, issues were sent down to lower Court, and in 20·09 per cent fresh evidence required.

24.		*Amritsur.*	*Goordaspoor.*	*Sealkote.*
Duration of appeals.	In 1868, ...	104 days.	31 days.	27 days.
	In 1867, ...	45 „	19 „	15 „
Per-centage remaining for disposal, ..		40 57	5·37	0·74
Date of oldest case pending, ...		23rd May 1868.	10th Oct. 1868.	20th Nov. '68.
No. of appeals pending above 2 months,		118	1	0

Deputy Commissioner Amritsur has a good right to say that the transfer of Buttala forced him into arrears, and that duration of appeals is due chiefly to changes of officers.

PETITIONS FOR REVIEW.

25. In Amritsur 184 petitions for review were disposed of. In Goordaspoor none were preferred.* In Sealkote the number amounted to 107. Deputy Commissioners of Amritsur and Sealkote have not mentioned how many were admitted. Litigants do not yet understand that the chief cause for admitting a review is generally to be the offer of new evidence, and that "other good causes" are rare. They simply write out a statement of their case in hopes the Judge will see the matter in a different light on reconsideration.

APPEALS TO COMMISSIONER.

26. 565 appeals were preferred, 276 were pending, making a total of 841, of which 684 cases were disposed of, 4·2 per cent without trial and 95·8 by trial. Of the *latter*, 26·4 were returned for further investigation; and of the number (482) finally decided, 82·6 per cent were in favor of respondents, and 17·4 in favor of appellants. At the close of the year 159 appeals were pending, or a per-centage on the cases for disposal, of 18·8. The average duration was 104 days, to 105 in 1867. The oldest case is of 12th January 1867. It is a revenue suit connected with land in which enquiry on certain points was made by Mr. Prinsep, Settlement Commissioner. No reply has yet been received. The return of the case will be requested.

* This probably means that none were admitted.

27. The aggregate value of appeals was Rs. 88,833; the average 132-12-7; the aggregate cost Rs. 12,302: the average Rs. 18-6-1; and the per-centage of costs to value Rs. 13-13-6.

28. The talabanah income amounted to Rs. 1,146, and the surplus, after payment of salaries of 8 peons, to Rs. 713. Processes in Amritsur district are served by the peons attached to the Court; those for service in other districts are transmitted to Tehseeldars for service.

29. MISCELLANEOUS.

District.	No. of applications for execution.	Value.	Average duration.	No. pending	Amount realized.		
					Paid voluntarily	After attachment.	By sale
Amritsur, ...	6,484	5,79,346	30 days	969	1,58,912	93,348	15,763
Goordaspoor, ...	1,964	1,10,954	48 „	341	552	42,582	2,675
Sealkote, ...	4,433	2,32,046	34 „	385	1,959	73,965	8,865

	Amritsur.	Goordaspoor.	Sealkote.
No. of sales of house property in execution of decree, ...	129	11	112
No. of sales of hereditary or joint acquired property in land, ...	0	0	0
No. of sales of land other than above, ..	0*	0*	0

* The Deputy Commissioner of Goordaspoor states that the 11 cases of house property shewn above includes sales of plots of land in towns and villages. In the Amritsur report discrimination has not been made between house and other real property.

Working of Talubanah rules.

30.

	Amritsur.	Goordaspoor.	Sealkote.
INCOME. Original suits, ..	...	4,992	11,353
Miscel. cases,...	21,694	1,098	4,267
Appeals, ...	...	172	82
EXPENDITURE Process serving Estabt., ...	2,498	3,545	6,115
Miscellaneous, ...	1,050	24	314
POSTAGE FUND.			
Income, ...	302	117	135
Expenditure, ...	212	103	95

31. In Amritsur, a large sum has been entered as Miscellaneous expenditure of which no detail has been furnished. Deputy Commissioner has been called on to supply the omission. In Sealkote the expenditure is put down as on account of commission on sale of stamps, an item which need not have been shown, as the Courts have to do with the amount value of stamps *actually filed*. In Goordaspoor Rs. 24 were expended as wages of a sweeper for the kutcherry.

LAHORE DIVISION.

Lieut. Col. H W. H. Coxe, Officiating Commissioner.

[*Received 4th March* 1869.]

PART I.—ORIGINAL SUITS.

Number of suits instituted and on the file.

2. The following statement shows the number of suits instituted and on the file during the past year :—

District.	Instituted during 1868.				Pending at close of 1867.	Received by transfer.	Total for disposal in 1868.
	Civil suits.	*Revenue suits.*		Total.			
		Regular.	Summary.				
Lahore, ...	10,269	758	...	11,027	440	1	11,468
Ferozepoor, ...	5,028	1,274	...	6,302	276	...	6,578
Goojranwalla, ...	4,150	397	19	4,531	96	...	4,627
Total, ...	19,412	2,429	19	21,860	812	1	22,673

There has been a very considerable increase in the number of suits instituted as compared with 1867, though they about agree with the number in 1866. The increase over 1867 is confined to the Lahore and Goojranwalla districts. In Ferozepoor there has been a decrease, which is attributed (by the Officiating Deputy Commissioner) almost entirely to the famine season.

Cause of increase in the Lahore district.

3. The Deputy Commissioner of Lahore attributes the increase in 1868 to two causes, "1st, to the change in the law of limitation introduced by Act "XIV of 1859; and 2nd, to the fact that suits which would ordinarily "have been brought in 1867, had there been no change in the stamp duty, had to be brought in "1868, to be within the period of limitation prescribed by the old law." But the Deputy Commissioner points out that the increase is very considerable in the Lahore and Meean Meer Small Cause Courts, in which Courts book debts and running accounts constitute the bulk of litigation; and these are the kind of cases most affected by the new limitation law.

Cause of increase in the Goojranwalla district.

4. In Goojranwalla, the Deputy Commissioner, Mr. Arthur Brandreth, attributes much of the increase to the Limitation Act XIV of 1859; but is mainly caused, he considers, by the increased facilities for money-lenders to collect their debts through our Courts. On this subject, Mr. Brandreth writes as follows :—

"When I first came to this district some sixteen years ago, the number of Civil suits "was just half what it is at present. In those days of course officers had much more leisure, "and cases were far more carefully enquired into; the accounts of the astute money-lenders "were carefully analysed, excessive interest struck off, the ignorant villagers helped to under-"stand and disprove the various items, and wherever possible, a fair settlement made by

" arbitration. Excess of work and the urgent necessity for speedy decision has changed this very " much, and the money-lender comes into Court well armed for the fray, and in a few days " obtains his decree, and is still more helped on its speedy execution, so that our vast machinery " of Government is being rapidly transformed into a well arranged machinery for collecting " petty debts. With our fixed (though light) land tax, the villagers are perhaps justified in " their complaint that we do all we can to compel them to get into debt and then show no " consideration for them afterwards. The action of our Courts is now considered so sure in " favor of the well prepared suitor, that the debtor does all he can to arrange matters out of " Court at any cost, and the Registry Courts show an amount of sales of land and cattle, which " is a terrible sign, as it has always been found to be the main cause of dissatisfaction with our " rule, however in other ways beneficial."

I do not by any means support these views of Mr. Brandreth. It does not appear to me that the facilities for money-lenders to collect their debts have been in any way increased. The stamp duty has been enhanced; the previous facilities and scope for appeals have been much circumscribed, and I should be inclined to argue the other way, and assert that it is a much more difficult matter for a money-lender to carry through the Courts a doubtful claim now than it was ten years ago.

Disposal of cases.

5. The number of cases for disposal was 22,673 during the year under review, as compared with 20,357 in 1867. Of these, 21,110 were disposed of, the following statement shows how :—

The statistics of this and the preceding years, and the difficulty Deputy Commissioners experience in assigning satisfactory causes for the increase and decrease in their respective districts only tend to show the fitfulness of litigation in the Province, and that there are no satisfactory reasons assignable for its ebb and flow. See remarks on this head in para. 3 of last year's report—this office No. 435, dated 20th February 1868.

District.		Total disposed of.	Withdrawn, transferred, or struck off without trial or decree.	Per cent.	Cases in which decree passed.			
					Without contest in Court.	Per cent.	Contested cases tried and decided in Court.	Per cent.
Lahore, ...		10,353	1,268	12·24	5,646	54·55	3,439	33·21
Ferozepoor, ...		6,287	1,356	21 57	2,929	46 59	2,002	31 84
Goojranwalla, ..		4,470	819	18 32	1,991	44·54	1,660	37 14
Total,	1867,	19,545	4,131	21·13	8,911	45·58	6,503	33
	1868,	21,110	4,443	21 4	10,566	50·5	7,101	33 6

It will be observed that the per-centage of contested cases tried and decided in Court continues the same as it was in 1867.

Ex parte cases and dismissals in default.

6. The following statement shows the number and per-centage of cases decided ex parte and dismissed on default :—

District.	Total disposed of	Exparte.	Per cent.	Dismissed on default.	Per cent.
Lahore, ...	10,353	896	8·65	1,196	11·55
Ferozepoor, ...	6,287	450	7·15	982	15 62
Goojranwalla, ...	4,470	184	4 11	793	17·74
Total, ...	21,110	1,530	7 24	2,971	14 7

There are many Courts, especially in the Lahore district, in which the proportion is above the average. I am inclined to agree with the Deputy Commissioner, who states that many of the cases shown in the returns as dismissed on default are really settled out of Court. In support of this view the Deputy Commissioner points out that, of the 1,196 cases dismissed in default in the Lahore district, only in 200 did the plaintiffs apply to have the cases restored to the file. I would invite attention to the detailed remarks of the Deputy Commissioners of Lahore and Goojranwalla at paras. 7 to 10 and 2 respectively of their reports.

Arbitration.

7. The number of cases decided by arbitration was—in

	1867.	1868.
Lahore, ...	352	362
Ferozepoor, ...	463	440
Goojranwala, ...	152	191

The Deputy Commissioners of Lahore and Ferozepoor report that all awards were confirmed. Both Deputy Commissioners consider that, as the provisions of the law relating to arbitration become more generally known there will be a still further decrease. In this opinion I entirely concur. The Deputy Commissioner of Goojranwala has offered no remarks on this subject. I consider that some greater power should be allowed to Appellate Courts to qualify or return the decisions of arbitrators than is accorded under Section 318 of Act VIII. I have seen cases in which there has been a misappreciation of facts by the arbitrators, and yet without misconduct shown or alleged, which renders it difficult for the Appellate Court to deal with.

Average duration.

8. The average duration of suits was in

	1867.	1868.
Lahore, ...	13 days.	14 days.
Ferozepoor, ...	20 do.	20 do.
Goojranwalla, ...	17 do.	17 do.

This calls for no remarks. The average duration of contested cases was highest in the Court of Mr. Smyth, Officiating Deputy Commissioner Lahore, *viz.*, 94 days, and is satisfactorily explained by him at para. 14 of his report.

Aggregate and average value of suits.

9. The subjoined comparative statement shows the aggregate and average value of suits disposed of—

District.		Civil suits.					Regular Revenue suits.					Summary suits.					Total.				
		Number.	Aggregate value	Average value.			Number.	Aggregate value.	Average value.			Number.	Aggregate value.	Average value.			Number.	Aggregate value.	Average value.		
Lahore, ...	1867,	8,279	6,33,605	76	8	6	530	19,697	37	2	8	159	11,090	69	11	10	8,958	6,64,392	74	1	4
	1868,	9,609	10,49,931	109	4	3	710	32,025	43	4	5	...	...	...	..	.	10,319	10,81,956	108	6	9
Ferozepoor,	1867,	4,830	2,87,475	59	8	4	1,869	51,847	27	12	9	89	4,716	52	15	9	6,788	3,44,038	50	10	11
	1868,	5,026	2,68,769	57	7	7	1,223	51,154	41	12	11	...	...		.		6,249	3,19,923	51	3	1
Goojranwalla,	1867,	3,398	1,45,126	42	11	4	218	10,454	47	15	4	136	6,334	46	9	2	3,752	1,61,914	43	2	5
	1868,	4,071	1,62,195	39	11	6	377	13,972	37	1	...	16	450	21	13	8	4,464	1,76,617	39	9	...
Total, ...	1867,	16,507	10,66,206	64	9	5	2,617	81,998	31	5	4	384	22,140	57	10	6	19,508	11,70,344	59	15	10
	1868,	18,706	14,80,895	79	2	8	2,340	97,151	41	8	3	16	450	21	13	8	21,062	15,78,496	74	15	1

Per-centage of costs to value.

10. The per-centage of costs to value was—in

		1867.			1868.		
Lahore,	..	Rs. 7	3	1	7	7	3
Ferozepoor,	...	„ 9	0	8	10	9	9
Goojranwalla,	...	„ 10	15	3	13	1	1

It is worthy of note that, in Lahore and Ferozepoor, where the average value of suits has increased, there has been an increase in the per-centage of costs, whereas there should have been a decrease. This is not satisfactory, nor am I satisfied at seeing a continued increase in the Goojranwalla district.

Number and per-centage of pending cases.

11. The number and per-centage of cases pending at the close of the year under review was—in

		Number.	*Per cent.*
Lahore,	..	1,115	9·6
Ferozepoor,	..	291	4·
Goojranwalla,	..	157	3·

In Lahore 20, in Goojranwalla 3, and in Ferozepoor 2 cases only were pending above two months at the close of the year.

The large number of pending cases, 1,115, in Lahore is said by the Deputy Commissioner to be due to the fact that owing to the change of the period of limitation a very large number of cases were instituted in the last few days of the year, and could not possibly be disposed of.

Agency by which original suits were disposed of.

12. The following statement shows the number and proportion of cases disposed of by Deputy Commissioners, Assistant and Extra Assistant Commissioners, Tehseel Courts, Small Cause Courts, and Honorary Civil Judges :—

Disposed of by	Lahore.		Ferozepoor.		Goojranwala.	
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.
Deputy Commissioners, ...	13	0 12	15	0 23	54	1·20
Assistant and Extra Assistant Commissioners, ...	2,057	19 86	1,590	25 29	547	12 23
Tehseel Courts, ...	2,381	23 0	3,893	61·92	3,033	68 0
Small Cause Courts, ...	5,609	54 27	770	12 24	...	...
Honorary Civil Judges, ...	293	2 83	19	0·30	836	18·17
Total, ...	10,353	...	6,287	...	4,470	...

This shows also the cases disposed of by paid and unpaid Judges, for the Honorary Civil Judges are the only unpaid Judges.

Small Cause Courts.

13. The Deputy Commissioner of Lahore reports that the Lahore Small Cause Court continues to be popular. Mr. Baden Powell, the Judge, has furnished a full report on its working, which I forward in original. There can be no doubt, I think, that the popularity of this Court is mainly due to Mr. Powell.

No reports have been furnished on the working of the Cantonment Small Cause Courts at Mecan Meer and Ferozepoor.

Working of Act VIII of 1859.

14. The Deputy Commissioners of Ferozepoor and Goojranwala report that the working of Act VIII of 1859 has been satisfactory during the year under review. The Deputy Commissioner of Lahore, Mr. J. W. Smyth, reports as follows, at para : 23 of his report :—

"There is no better commentary on the views of those who hold that the Punjab is unfitted to receive the same laws as are in force in the rest of the Empire than is to be found in the working of Act VIII of 1859. This Act, which was extended to the Punjab with great misgivings, has been in operation now for upwards of two years, and has worked most satisfactorily. I believe that no inconvenience has been experienced by its introduction, while the advantages of an intelligible and certain procedure are too obvious to require remark. There are one or two points in respect to which the Act might, I think, be amended with advantage. One relates to the execution of processes out of the jurisdiction of the Court issuing them. At present there is apparently no way of arresting an absconding defendant, when once he has left the jurisdiction of the Court, nor apparently is there any way of attaching property out of the jurisdiction before judgment is passed, so the execution of decrees out of the jurisdiction is attended with much difficulty in practice. As the law is at present a judgment-debtor may by simply moving about from one district to another, set his creditor at defiance, so far at least as execution against his person is concerned. In this respect, I think, the provisions of the Punjab Civil Code were preferable, under which the Court which passed the decree retained in its own hands the conduct of the execution of the decree, whether the property against which execution

was sued out was within or without its jurisdiction. So likewise, I think, the rules of the Punjab Civil Code enabling the Court of its own motion to refer a case to arbitrators or assessors were preferable to the provisions relating to arbitration contained in Act VIII of 1859." I quite concur in this latter view. I consider that the voluntary system of appointing arbitrators is far less preferable than the practice which obtained under the Punjab Civil Code of empowering the Court to appoint arbitrators. The same process exists, however, under another name, that namely, of appointing commission for local investigation. It is only necessary to invest them with the powers of decision as well as of investigation and the old system would be restored.

PART II.—APPEALS TO DEPUTY COMMISSIONERS.

Number of appeals, how disposed of, &c.

15. The number of appeals preferred was—in

	1867.	1868.
Lahore, ...	174	120
Ferozepoor, ...	472	466
Goojranwalla, ...	183	159

The number for disposal was, in Lahore 121, in Ferozepoor 477, and in Goojranwalla 167, in all 765. Of these, 744 were disposed of, leaving only 21 pending, 11 in Ferozepoor and 10 in Goojranwalla. The number disposed of was as follows:—

		Lahore.	*Ferozepoor.*	*Goojranwalla.*
1.	Withdrawn, transferred or struck off without trial,	7	41	4
2.	Decided in favor of appellant in whole, ...	22	44	21
3.	Do. do. do. in part, ...	13	32	14
4.	Do. in favor of respondent, ...	62	219	114
5.	Remanded for further investigation, ...	17	130	4
	Total, ..	121	477	167

The large number of cases remanded for further investigation in Ferozepoor is attributed to the fact that out of 11 Courts from which appeals were heard, the presiding officers of 5 were newly appointed. This may be the case, but it is not at all satisfactory.

Average duration

16. The average duration of appeals was—in

	1867.	1868.
Lahore, ...	23 days.	18 days.
Ferozepoor, ...	13 „	17 „
Goojranwalla, ...	40 „	39 „

The continued high average duration in the Goojranwalla district is not at all satisfactory. It has not been explained by the Deputy Commissioner.

Per centage remaining for disposal.

17. In Ferozepoor only 11 appeals, or 2·3 per cent, and in Goojranwalla 10 or 5·98 remained for disposal at the close of the year under review. No appeals remained pending in Lahore. I am on the whole satisfied with this. The date of the oldest appeal pending was in Goojranwalla, 9th November 1868, and in Ferozepoor, 7th December 1868.

Aggregate and average value.

18. The following statement shows the aggregate and average value and cost of appeals to Deputy Commissioners, during the year under review :—

District.	Civil suits.												Regular Revenue suits.												Total.											
	Number.	Aggregate value.			Aggregate cost			Average value.			Average cost.			Number.	Aggregate value.			Aggregate cost.			Average value.			Average cost.			Number.	Aggregate value.			Aggregate cost.			Average value.			Average cost.		
Lahore,	94	3,807			552	40	7	10	5	14	10		27	768			109	28	7	1	4	.	7		121	4,575			661	37	12	11	5	7	4	
Ferozepoor,	271	13,019			1,644	48	.	9	6	2	.	.	195	9,773			1,109	50	1	10	5	10	10		466	22,792			2,753	48	11	6	5	14	6	
Goojranwalla,	137	6,061			814	38	9	9	5	1	11		...	...			...	..	..	..	.				157	6,061			814	38	9	8	5	2	11	
Total, ..	522	22,887			3,010	43	13	6	5	12	3		222	10,541			1,218	47	7	8	5	7	9		744	33,428			4,228	44	11	10	5	10	11	

Working of Punjab Appeals Act VII of 1868.

19. The Deputy Commissioner of Lahore reports that "the Punjab Appeals Act has introduced but little change in the procedure of the Appellate Courts of Deputy Commissioners, except in regard to the power of remanding cases for redecision." He states the Act works satisfactorily. The Deputy Commissioner of Ferozepoor under this head remarks that "the permission for review of judgment is a good equivalent for the curtailment of a portion of the opportunities for appeal. The Deputy Commissioner Goojranwalla has not reported on the subject.

APPEALS TO COMMISSIONER.

Number of appeals; how disposed of.

20. There were 438 appeals preferred to this Court during the year under review. The number for disposal was 488. Of these, 458 were disposed of. Of the number disposed of, 53 or 11·57 per cent were withdrawn, transferred or struck off without trial; 82 or 17·90 per cent were reversed or modified; the orders in 234 or 51·9 per cent were confirmed; and 69 or 15·7 per cent were remanded for further investigation. The largest number of cases remanded were appeals from the orders of—

Mr. F Bullock, Assistant Commissioner,
Mr. G. Wakefield, ditto,
Lieut. R. Armstrong, ditto,
Fakeer Zahooroodin, Extra Assistant Commissioner;

they were returned on account of imperfect investigation. In fact, all cases shown to have been remanded were, as a rule, remanded on account of imperfect investigation, not on account of the alleged discovery of new evidence.

Duration of appeals, and per-centage remaining for disposal.

21. The average duration of appeals in this Court was—

in 1866,	.. ..	47 days,
1867,	.. ..	47 „
1868,	.. ..	24 „

and only 30 or 6 per cent remained for disposal at the close of the year under review. I trust these results will be considered satisfactory.

The oldest appeal pending, from 20th July 1868, was referred to Mr Gouldsbury, Pleader, who was appointed arbitrator by consent of both parties. The case was referred to him on the 21st August 1868, and though he was repeatedly reminded by this Court of the delay, he only filed his award on the 14th January 1869. The case was disposed of on 26th idem. No other appeal was pending above two months at the close of the year.

Aggregate and average value and cost of appeals.

22. The aggregate and average value and cost of appeals disposed of by this Court, during the past year, is shown in the following statement :—

	No.	Aggregate value.			Aggregate cost.			Average value.			Average cost.		
Civil Suits, ...	372	1,92 752	8	8	8,352	9	2	518	2	7	22	7	3
Regular Revenue Suits, ..	86	16,934	.	3	1,777	2	.	196	14	6	20	10	8
Summary Suits, ...	...	...			...	.	.	...	.	.	...	.	...
Total, ..	458	2,09 686	8	11	10,129	11	2	457	13	3	22	1	10

The costs in this Court are taxed by the Head Clerk, who is also Clerk of the Court. Decrees are also written by that officer himself.

Petitions for review of judgment.

23. There were only 31 applications for review of judgment in this Court, of which 22 were rejected and 9 accepted.

Working of the Punjab Appeals Act VII of 1868.

24. I have no doubt the Punjab Appeals Act has been the cause to some extent of a decrease in the number of appeals preferred to this Court. I am, unable, however, to give a decided opinion as to its working in this Court, as Section 10 of the Act applied to most of the appeals preferred, that is, they were appeals in cases pending when the Act came into operation, and were not affected by it.

PART III.—MISCELLANEOUS.

Execution of decrees.

25. During the past year there were 12,813 applications for execution of decrees for disposal, of which 3,748 were completely executed, 3,549 were partially executed, and then struck off on default of decree-holders, 4,324 was the number struck off on default in which no part was executed, and 91 were transferred. Only 1,101 remained pending at the close of the year.

Results of execution.

26. In 1,646 cases (all in the Goojranwala district) specific performance was enforced; in one case in the Ferozepoor district hereditary or joint acquired property in land was sold; in 157 other real property was sold; but in no case was real property sequestered under Sections 243 and 244 of Act VIII of 1859. In 524 cases personal property was sold, and in 78 cases debtors were imprisoned.

Difficulties in the way of executing decrees.

27. Mr. J. W. Smyth, Officiating Deputy Commissioner of Lahore, brings prominently to notice the difficulties which are thrown in the way of decree-holders. He writes as follows, at paras 34 and 35 of his report :—

"I am afraid the execution of decrees is a department which is very much neglected. It is possible for a plaintiff to obtain a decree with reasonable facility and certainty, but his difficulties commence when he attempts to put the decree in execution, and these difficulties are not solely due to obstacles thrown in the way by the judgment-debtor. They are caused quite as much by the obstructive and dilatory nature of the procedure of our Courts. The procedure in an execution case is left too much in the hands of the ministerial officers of the Court. The orders are regarded merely as routine, and are frequently passed by the Serishtadars on their own responsibility. Even when the special direction of the Court has to be taken on any point, the case is put hurriedly forward, probably just as the Court is about to rise for the day, and is as hurriedly disposed of. When so little attention is paid to these cases by the presiding officer, it is not surprising that the orders should be carelessly and languidly executed. The slightest excuse is seized upon by the Nazir for making an evasive return to the Court's order, and the Court is not always curious to enquire into the validity of the excuse. The case is brought up some day when the decree-holder, tired of hanging about the Court, has gone to his home, and in his absence is struck off the file. He puts in a fresh application for execution, and again the same slow machinery is put in motion.

"Para 35. I have had my attention specially drawn to this subject recently in consequence of some cases coming to my notice in which great hardship as well as pecuniary damage had been caused to decree-holders by the dilatory and ineffectual procedure of our Courts. Great reform is needed in this branch of the administration. Unfortunately it is not a very interesting branch of an officer's duty, but it is practically as important as the decision of suits, or any other branch of the judicial administration, and it should receive more attention than it does at present at the hands of judicial officers. Theoretically there are some advantages in requiring each Court to execute its own decrees, but in practice when this course is followed the execution cases being looked upon as a very subordinate branch of an officer's duty are neglected. I think the best way of putting the department on a satisfactory footing, in a large station like Lahore, would be to entrust the execution of all the decrees of the Sudder Courts to one officer, and relieve him of all original suits. Execution cases would then become an important part of the officer's duty, and would be more likely to receive due attention at his hands. If there is no objection in point of law to this course, I intend to try it experimentally for a time. Anything will be better than the present system, than which nothing can be more unsatisfactory."

My own opinion is that the difficulties which lie in the way of execution of decrees and the vagueness of the Bankruptcy rules are the two chief blots on our civil administration ; the latter point has been prominently brought to the notice of the Judges in the report of Mr. Powell, forwarded with this office No. 440 dated 26th ultimo; as regards the process for execution of decrees, I do not know that I can add anything to the able notice of Mr. Smyth, recorded above, but I would urge earnestly that no time be lost in taking measures for placing these two most important points on a clear and practical footing.

Tulubana.

28. I give below a statement showing the income and expenditure from tulubana fees during the past year, as compared with 1867.

	Income.						Expenditure.						Balance.					
	1867.			1868.			1867.			1868.			1867.			1868.		
Lahore, ...	20,977	..	.	18,145	4	9	8,657	13	.	10,250	5	7	12,319	1	...	7,888	15	2
Ferozepoor, ..	7,819	7	.	10,791	.	.	3,690	4	9	4,237	5	.	4,129	2	3	6,553	11	..
Goojranwalla, ...	3,986	2	..	6,108	14	..	2,920	3	8	3,175	3	9	1,065	14	4	2,933	10	3
Commr's Court, ...	...	..	.	797	10	...	...	..	..	116	2	8	...	.	..	681	7	4

29. All the Deputy Commissioners of this Division report that the Peons' Act and rules framed under it have worked satisfactorily.

Peons Act and Talubana Rules.

30. The income and expenditure of the postage fund during the past year was—in

Postage Fund.

		Income.	*Expenditure.*
Lahore, ..	Rs.	491- 9-0	387-12-6
Ferozepoor, ...	„	107-15-0	95- 0-6
Goojranwala..	„	195-11-0	149- 0-0

31. The Deputy Commissioner of Ferozepoor reports that the system of record works well, but in the case of English Judges there appears an undoubted necessity for a Clerk of the Court, understanding English, so as to relieve the Judge of all simply manual labor. The Deputy Commissioner of Lahore reports that issues are drawn in every case, and that they are generally correctly drawn. The Deputy Commissioner of Goojranwala has offered no remarks.

Working of the system of record, and drawing of issues.

32. The Deputy Commissioner of Ferozepoor considers that the Act has checked frivolous actions. It appears to me however, difficult to judge of the effect of the new Stamp Act on litigation. With an increased stamp duty, I should have looked forward to a decrease in the number of cases whereas during the past year there has been an increase in Lahore and Goojranwalla, attributed to special causes, already explained in paras : 3 and 4 of this report. I am not, under the circumstances, prepared to give a decided opinion as to the effects of the new Stamp Act on litigation. I concur, however, with Mr. Smyth, Deputy Commissioner of Lahore, who is of opinion that the duty is too high and should be reduced.

Working of the Stamp Act XXVI of 1867, and its effects on litigation.

33. Mr. Smyth, Deputy Commissioner Lahore, adheres to the opinion expressed by him in his report for 1867, that Pleaders are not of much real assistance to the Court. His detailed opinion will be found embodied in para : 39 of my report for that year. My own opinion is that the Pleaders are of some assistance to the Courts in bringing out points of law and in dressing facts in a manner that would not probably have occurred to an ignorant suitor. But while I am prepared to admit in some measure the benefit which has accrued to the Judges in the lower Courts in the establishment of Pleaders, I am by no means prepared to affirm that their presence constitutes an unmixed good to the people ; on the contrary, I believe that many cases would have never seen the light

Working of the Pleaders' and Mookhtiars' Act.

unnecessarily but for the Pleader's advice, and I know that in some cases these counsels have brought unhappiness into families. I must state that the general opinion expressed by respectable native gentlemen with whom I have conversed on the subject is not favorable to the Pleaders' system. One went so far as to remark that the result of having Pleaders in this country was that the bad characters now lived without fear—"*Pleader ne budmashon ko bedur kya,*" was the expression used. Of course, I would not be understood to cast any personal reflection upon the gentlemen who exercise the profession of Pleaders in this Province, most of whom are men of character and position, but it is my duty to state fairly what is said of the system.

RAWULPINDEE DIVISION.

P S Melvill, Esquire, Commissioner.

[*Received on 8th March* 1869.]

Cases instituted.

17,581, or 2,173 cases in excess of 1867, were instituted during the year.

The increase is confined to the districts of Rawulpindee, Goojrat and Shahpoor. In the Jhelum district there has been a decrease.

The subjoined table shows the number of cases instituted in both years.

	Rawulpindee.	Jhelum.	Goojrat.	Shahpoor.	Total.
1867, ...	6,083	3,139	3,029	3,157	15,408
1868, ...	7,241	2,615	3,856	3,869	17,581
Difference, ...	+1,158	—524	+827	+712	+2,173

The increase in the Rawulpindee, Goojrat and Shahpoor districts, has occurred principally in Civil suits, and is most perceptible in suits on unregistered bonds, accounts stated and parole debts.

The decrease in the Jhelum district is not so great in Civil as in Regular Revenue suits.

In the former class the decrease shows itself chiefly in suits for settlement of partnership accounts, for personal property, and parole debts.

Causes of increase in the districts of Rawulpindee, Goojrat and Shahpoor

Major Urmston, Deputy Commissioner Rawulpindee, attributes the increase which in his district is most apparent in claims for small sums by bankers against the poorer classes of agriculturists, to the inability of debtors to meet the demands of their creditors owing to the pressure of circumstances arising from the scarcity of grain.

To the same cause Captain Johnstone, Deputy Commissioner Shahpoor, thinks the increase in his district may perhaps be partly attributed, but he "believes that it is the increase which has been going on for years and which for special causes received a check in 1867 to make it more apparent in 1868."

Major Smyly, Deputy Commissioner Goojrat, ascribes the increase firstly, to the cessation of settlement operations, and secondly to a desire on the part of creditors who hold unstamped bonds to bring their claims into Court before the expiry of the term of grace allowed by Section 51 of Act XX of 1866.

I have myself little doubt that whatever weight may be attached to the special causes assigned, there is a general tendency to an increase of litigation.

Cause of decrease in the Jhelum district.

In regard to the decrease in the Jhelum district Colonel Bristow, Deputy Commissioner, furnishes the following explanation :—

"This decrease may be accounted for by all the following circumstances combined—

1st. The alteration in the stamp law, which causes—

2nd. Only good claims to be preferred;

3rd. The year being one of scarcity; and

4th. The tulubana has acted in a direction curtailing litigation in the year under report."

Cases disposed of.

2. The total number of cases on the file was 17,903; of these 17,305 were disposed of, as shown in detail below :—

Cases withdrawn, transferred or struck off without trial or decree.				Cases in which decree passed.										Total cases disposed of.
				With or without contest in Court						Contested cases tried and decided in Court.				
							By Arbitrators.			In favor of Plaintiffs.				
Adjusted and withdrawn under Sections 97 and 98 Act VIII of 1859	Dismissed on default.	Transferred.	Total.	Ex parte.	By confession.	By compromise and consent.	In favor of plaintiff.	In favor of defendant.	Total.	In whole.	In part.	In favor of defendants, objectors or insolvents.	Total.	
1,593	2,672	6	4,271	973	3,814	1,349	588	92	6,816	2,401	1,604	2,213	6,218	17,305

Per-centage of cases disposed of by trial.

The per-centage of contested cases disposed of by trial has been 36; that of uncontested cases in which decrees were given 39; and 25 per cent of the cases were withdrawn, transferred, or struck off without trial.

The following table exhibits the per-centages of each district as compared with the previous year:—

DISTRICTS.	Per-centage of cases withdrawn, transferred or struck off without trial.		Per-centage of cases in which decrees passed. Without contest in Court.		Tried and decided in Court.		Total per-centage of cases in which decrees passed.	
	1867.	1868.	1867.	1868.	1867.	1868.	1867.	1868.
Rawulpindee, ...	27	28	37	36	36	36	73	72
Jhelum, ...	23	26	26	29	51	45	77	74
Goojrat, ...	24	19	36	43	40	38	76	81
Shahpoor, ...	18	24	51	40	31	27	82	76
Total, ...	24	25	37	39	39	36	76	75

Per-centage of cases dismissed on default and ex parte.

The per-centage of cases dismissed on default has been 15, as in preceding year; but ex parte decisions have risen from 4 to 6 per cent.

	Dismissed on default.		Ex parte decisions.	
	1867.	1868.	1867.	1868.
Rawulpindee, ...	16	14	8	10
Jhelum, ...	15	16	3	4
Goojrat, ...	14	12	3	3
Shahpoor, ...	16	21	4	5
Total, ...	15	15	4	6

The divisional per-centage of cases dismissed on default is 2 per cent in excess of the provincial per-centage for 1867; compared with that standard the per-centage of the Shahpore district is high. This is very unsatisfactory, and I am satisfied that it arises from the irregular procedure of the Courts. Cases are not heard on the dates fixed, and no notice is given to the parties of the change of date. There must always be a certain proportion of cases properly dismissed on default, but the examination of a large number of cases has conclusively shown that many are improperly dismissed.

Courts in which highest and lowest proportions of cases dimissed on default occurred.

The highest per-centage of cases dismissed on default was in the Courts of—

Deenanauth, Naib-Tehseeldar Tullagung in Jhelum, ... 39
Mehndee Khan, Tehseeldar of Rawulpindee, ... 37
Umreek Sing, Tehseeldar of Pind Dadun Khan, ... 33

Hadee Hoosein, Extra Assistant Commissioner, Shahpoor,... 30
Mr. Owen, Extra Assistant Commissioner, ... 29
Fyzool Hussun, Extra Assistant Shahpoor, ... 29
Hooshnak Rai, Naib-Tehseeldar, Goojur Khan, Rawulpindee, ... 28

And the smallest proportions were in the Courts of—

Mr. Wilkinson, Assistant Commissioner, Goojrat, ... 4
Bukhtawur Lall, Tehseeldar, Kharian, in Goojrat, ... 4
Major Bean, Cantonment Magistrate, Rawulpindee, ... 5
Bunseedhur, Tehseeldar of Goojrat, ... 5
Captain Harington, Assistant Commissioner, Jhelum, ... 6
Kirpal Singh, Naib-Tehseeldar, Attock, ... 6

The following statement shows in detail the Courts in which the per-centage of cases dismissed on default exceeded the average of the province in 1867 :—

Name of Officer.	District.	Per-centage.
Deena Nath, Naib-Tehseeldar, ...	Jhelum, ...	39
Mehndee Khan, Tehseeldar, ...	Rawulpindee, ...	37
Umreek Singh, Tehseeldar, ...	Jhelum, ...	33
Hadee Hoossein Khan, Extra Assistant Commissioner, ...	Shahpoor, ...	30
Fyzul Hussun, do.	Ditto, ...	29
Hurbuns Lall, Naib-Tehseeldar, ...	Ditto, ...	29
Mr Owen, Extra Assistant Commissioner, ...	Goojrat, ...	29
Hakim Khan, Tehseeldar, ...	Ditto, ...	28
Hooshnak Rai, Officiating Tehseeldar, ...	Ditto, ...	28
Ditto, Naib-Tehseeldar, ...	Rawulpindee, ...	28
Hookum Chund, Extra Assistant Commissioner, ...	Jhelum, ...	27
Umreek Singh, Tehseeldar, ...	Rawulpindee, ...	26
Hurbuns Lall, Officiating Tehseeldar, ...	Shahpoor, ...	26
Kishen Dyal, Naib-Tehseeldar, ...	Ditto, ...	25
Ukhbur Ali, do.	Goojrat, ...	25
Goolab Rai, Tehseeldar, ...	Rawulpindee, ...	23
Mr. Smyth, Assistant Commissioner, ...	Shahpoor, ...	23
Gunput Rai, Naib-Tehseeldar, ...	Jhelum, ...	22
Mahomed Shah, do.	Rawulpindee, ...	21
Juggut Narain, Tehseeldar, ...	Jhelum, ...	21
Zoolficar Ali, Extra Assistant Commissioner, ...	Rawulpindee, ...	21
Mr. Peacock, Assistant Commissioner, ...	Ditto, ...	19
Bishen Sing, Tehseeldar, ...	Jhelum, ...	18
Gholam-Mohudeen, ...	Goojrat, ...	17
Mr. Moore, Assistant Commissioner,...	Jhelum, ...	16
Gumoo Khan, Naib-Tehseeldar, ...	Ditto, ...	16
Ubdoola Khan, Tehseeldar, ...	Goojrat, ...	16
Captain Johnstone, Deputy Commissioner, ...	Shahpoor, ...	16
Mr Fryer, Assistant Commissioner, ...	Jhelum, ...	16
Doorga Pershad, Tehseeldar, ...	Rawulpindee, ...	16
Gunput Rai, Tehseeldar, ...	Ditto, ...	16
Mr. Delmerick, Extra Assistant Commissioner, ...	Ditto, ...	15
Mr. Burney, Assistant Commissioner, ...	Ditto, ...	15
Mr. Spencer, Extra Assistant Commissioner, ...	Shahpoor, ...	15
Hakim Rai, Naib-Tehseeldar, ...	Goojrat, ...	15
Ram Dass, do.	Rawulpindee, ...	15
Ram Suhaie, Tehseeldar, ...	Shahpoor, ...	14
Neazali, Naib-Tehseeldar, ...	Ditto, ...	14
Alladad Khan, Tehseeldar, ...	Rawulpindee, ...	14
Sooruj Kowl, Tehseeldar, ...	Ditto, ...	14
Talib Ali, Tehseeldar, ...	Ditto, ...	14

Per-centage of ex parte decisions.

The per-centage, of the Division, of cases decided ex parte has been 6 to 4 in 1867, or 2 per cent above the proportion of the Province for last year.

The following table shows the several Courts in which the per-centage has been above the average:—

Name of Officer.	District.	Per-centage.
Sirdar Futteh Khan, Honorary Civil Judge,	Rawulpindee,	18
Lieutenant Armstrong, Assistant Commissioner,	Jhelum,	15
Lieutenant Nisbet, Assistant Commissioner,	Rawulpindee,	14
Mr Harrison, Assistant Commissioner,	Ditto,	12
Mehndee Khan, Tehseeldar,	Ditto,	12
Mr. Burney, Assistant Commissioner,	Ditto,	11
Mr. Fryer, Assistant Commissioner,	Ditto,	11
Major Bean, Cantonment Civil Judge,	Ditto,	11
Gunput Rai, Naib Tehseeldar,	Jhelum,	11
Gamoo Khan, ditto,	Ditto,	10
Gholam Mohudeen, Tehseeldar,	Goojrat,	10
Zoolfiear Ali, Extra Assistant Commissioner,	Rawulpindee,	10
Ram Dass, Naib Tehseeldar,	Ditto,	10
Doorga Pershad, Tehseeldar,	Ditto,	9
Gunput Rai, Tehseeldar,	Jhelum,	9
Hadee Hoossain Khan, Extra Assistant Commissioner,	Shahpoor,	8
Mr. Delmerick, Extra Assistant Commissioner,	Rawulpindee,	8
Hookum Chund, ditto,	Ditto,	8
Mr. Peacock, Assistant Commissioner,	Ditto,	8
Gunput Rai, Tehseeldar,	Ditto,	8
Kirpal Singh, Naib Tehseeldar,	Ditto,	8
Hurbuns Lall, Officiating Tehseeldar,	Ditto,	7
Hakim Khan, Tehseeldar,	Shahpoor,	6
Mr. Smyth, Assistant Commissioner,	Ditto,	6
Ubdoolla, Tehseeldar,	Jhelum,	6
Mr. Moore, Assistant Commissioner,	Ditto,	6
Mr Fryer, ditto,	Ditto,	6
Kishen Dyal, Naib Tehseeldar,	Shahpoor,	5
Neaz Ali, ditto,	Ditto,	5

The proper service of the summons is in many Courts not secured.

Cause lists.

The District Officers of Rawulpindee, Goojrat and Shahpoor, report that cause lists are regularly maintained in the Courts of their districts.

Arbitration.

3. The number of cases referred to arbitration has increased from 571 in 1867 to 680. Of these, 251 cases appertain to the Rawulpindee district, 118 to Jhelum, 185 to Goojrat, and 126 to Shahpoor.

In 4 cases only were the awards set aside, *viz.*, 2 in the Jhelum district, and 2 in that of Shahpoor.

Major Smyly, Deputy Commissioner Goojrat, states that the provisions of Section 314 of the Civil Procedure Code are adhered to, and that applications for arbitration are invariably spontaneous.

Captain Johnstone is of opinion that the tendency of suitors is to resort less and less to arbitration, but thinks that a little pressure is exerted sometimes to get the parties to appoint arbitrators.

General average duration of cases.

4. The general average duration has increased from 13 days in 1867 to 14 in 1868. The average duration in all three classes of decisions has increased in the districts of Rawulpindee, Jhelum and Shahpoor.

		Average number of days each case lasted.		
		In cases struck off without trial.	In uncontested cases decided in Court.	In contested cases.
Rawulpindee, ...	1867,	14	11	14
	1868,	15	12	17
Jhelum, ...	1867,	14	15	17
	1868,	16	16	22
Goojrat, ...	1867,	14	10	15
	1868,	12	10	15
Shahpoor, ...	1867,	23	15	20
	1868,	22	20	23
Total, ...	1867,	15	13	16
	1868,	16	11	18

The average of uncontested and contested cases in the Goojrat district is the same as last year, while the average of cases struck off without trial has decreased from 14 days in 1867 to 12 in 1868.

A comparative table of average durations of both years is given in the margin.

High average duration in particular Courts.

In the Rawulpindee district the highest average durations were in the Courts of Extra Assistant Commissioners in charge of the Attock Sub-division, *viz.*, Hookum Chund 26 days, and Zoolficar Ali 64 days; and in that of Bukhtawur Lal, Tehseeldar of Rawulpindee, 31 days.

The cause of these long durations is ascribed to the delay which happened in the service of notices on defendants and witnesses residing in other districts, and to these officers having been occupied in work connected with the passage of troops towards the frontier.

In the Jhelum district, the highest durations were in the Courts of Mr. Moore, Assistant Commissioner Pind Dadun Khan, 33 days; Jaishee Ram, Extra Assistant Commissioner 29; and Tehseeldar Irshad Ali, 31 days.

The delay in the Courts of Assistant Commissioner and Tehseeldar is ascribed to the partial cessation of Civil Judicial work consequent on His Honor the Lieutenant Governor's visit and progress through the district, but I cannot endorse this explanation.

Jaishee Ram, Extra Assistant Commissioner, was only employed in the district one month, and had some very heavy cases to dispose; hence the average duration in his Court is apparently high.

The highest durations in the Shahpoor district occurred in the Courts of Extra Assistant Commissioners, Spencer 33 days, and Fyzool Hussein 31 days, which are attributed by the Deputy Commissioner to a large increase of work in the Criminal Department, and to an insufficient number of process serving messengers.

The highest duration in the Goojrat district was 26 days, which was in the Court of Mr. Owen, Extra Assistant Commissioner.

Aggregate and average value of original suits and per-centage of costs to value.

5. The aggregate value of suits has been Rs. 7,78,649, or Rs. 11,707 less than in 1867.

The total costs were Rs. 1,05,034, or Rs. 27,164 in excess of previous year.

The average value has accordingly fallen from Rs. 51-3-4 to 45-0-2, and the average cost of each suit has increased from 5-0-4 to 6-1-2.

The per-centage of cost to value has been Rs. 13-7-9 to 9-5-0 in 1867.

The increase in costs is attributable to the new Stamp Act XXVI of 1867, and to Chief Court's Circular No. 27 of 1867 having been in operation during the whole year.

The following is a comparative table of value and costs in both years :—

Districts.		Total value of suits.			Total cost of suits.			Average value of suits.			Average cost of suits.			Per-centage of costs to value.		
Rawulpindee, ...	1867,	2,77,451	0	0	27,749	0	0	45	10	4	4	6	8	10	0	0
	1868,	3,10,274	0	0	37,805	0	0	43	7	1	5	4	8	12	2	11
Jhelum, ...	1867,	2,35,369	0	0	19,276	0	0	74	10	4	6	1	9	8	2	3
	1868,	1,74,037	0	0	25,232	0	0	66	14	2	9	11	2	14	7	1
Goojrat, ...	1867,	1,16,121	0	0	13,718	0	0	38	4	9	4	8	6	11	13	0
	1868,	1,35,766	0	0	21,123	0	0	35	14	8	5	9	5	15	8	11
Shahpoor, ...	1867,	1,61,415	0	0	16,817	0	0	50	14	8	5	4	10	10	4	7
	1868,	1,58,572	0	0	20,874	0	0	42	0	1	5	8	5	13	2	7
Total, ...	1867,	7,90,356	0	0	77,570	0	0	51	3	4	5	0	4	9	5	0
	1868,	7,78,649	0	0	1,05,034	0	0	45	0	2	6	1	2	13	7	9

Number and percentage of cases pending at the close of the year.

6. Of the 17,903 cases on the file, 598 or 3 per cent were pending at the close of the year, viz :

173 or 3 per cent in Rawulpindee.
91 „ Jhelum.
143 „ Goojrat.
191 or 5 per cent in Shahpore.

21 of the 598 cases were pending more than two months. In Rawulpindee there were 9, in Jhelum 2, in Goojrat 1, and in Shahpore 9.

The following explanations have been furnished by the district officers relative to cases pending above two months :—

Rawulpindee. "There were altogether 9 cases pending above two months each at the close of 1868, viz :

In Mr. Harrison, Assistant Commissioner's Court, 1 case from 14th October 1868.
Mr. Delmerick, Extra Assistant Commissioner, 1 do. 1st August 1868.
Zoolficar Ali, Ex. Asst. Comr., 7 cases ; 6 from 23rd July and 1 from 24th August 1868.

"The case in Mr. Harrison, Assistant Commissioner's Court, was delayed in consequence of the absence of a Putwaree whose evidence was material to the case, but who could not attend owing to the revenue demand being under collection at the time.

"As regards the case in Mr. Delmerick, Extra Assistant Commissioner's Court, it appears that a Commission had been appointed under Section 181 Act VIII of 1859 to examine and report on certain accounts connected therewith; that the Commissioners took a long time to carry out the order alluded to; that after they filed their report, the case was with the mutual consent of the parties concerned referred to arbitration; and that the arbitrators had not sent in their decision up to the 31st December last;—hence the case remained undisposed of at the close of the year.

"The 7 cases pending above two months in the Court of the Extra Assistant Commissioner of Attock were originally instituted before the Tahseeldar of that Purgunnah. On the 12th December 1868, the Extra Assistant Commissioner observed that the Tahseeldar's file of pending cases was unusually heavy at the time, and therefore had these 7 (being the oldest) transferred to his own Court with a view to their speedy disposal. Thus it will be seen that in reality the cases under reference did not come before the Extra Assistant till the date indicated above."

Jhelum. "Two cases were pending more than two months—one is a hard fought boundary dispute between the village of Sydun-wallee in this district and Wara-Chamman in that of Goojrat. Mr. Moore has spared no pains to bring the dispute to a satisfactory issue. He is at this present time engaged on this case in consultation with the Deputy Commissioner of Goojrat, so it is to be hoped that the disputed points may now be decided. The second case, a disputed claim to a building site in the village of Tiree in the Tullagung Tahseel. It was disposed of on the 9th January."

Goojrat. "There was only one case pending above two months in the Court of the Tahseeldar of Phalian. The case bears date October 10th, and the delay in its disposal was unavoidable, as defendant resided in another district, and the matter was one of boundary dispute which required that the land should be measured by a surveyor."

Shahpore. "Cases pending above two months—one in my Court, 3 each in the Courts of Mr. Smyth, Assistant Commissioner, and Mr. Spencer, Extra Assistant Commissioner, and 2 in that of the Tahseeldar of Khooshab.

"The one in my Court was for the proprietorship of a whole village, and the defendant with his confidential agent was obliged to attend the Chief Court in a case also concerning a whole village.

Statements showing the cause of delay in the other Suddur Courts are appended. The third case in Mr. Smyth's Court seems to have been kept pending so long very unnecessarily. He has been addressed on the subject. One of the two cases in the Tahseeldar's Court was decided on the 12th January. He has been written to about the other.

The following are extracts of the explanatory statements referred to by Captain Johnstone:—

Cases in Mr. Smyth's Court.

22nd October 1868.—Arbitrators were appointed, one of whom could not attend from illness. The parties too live at a distance.

23rd October 1868.—Arbitrators disagreed, and had to be dismissed.

26th October 1868.—Parties live at a great distance. The first summons was not served in time, and a second had to issue.

The first two cases have since been decided.

Cases in Mr. Spencer's Court.

24th October 1868.—A complicated case in which the parties are resident about 50 miles (30 koss), and evidence has been called for on behalf of the Court.

9th October 1868.—This is lying over till an opportunity for a local enquiry occurs in the direction where the land in litigation is situated.

9th October 1868.—A complicated land case in which an important witness had to be summoned 3 or 4 times.

Cases in the Court of Ram Suhai, Tahseeldar of Khooshab.

2nd October 1868.—After 5th December the case was made over to arbitrators; as soon as the result of the arbitrators' investigation will be known the case will be disposed of.

23rd October 1868.—After 6th November the case was postponed pending a reply from the Deputy Commissioner of Mooltan regarding the rate on loaded and unloaded camels.

Agency by which original suits were disposed of.

7. Of the 17,299 cases disposed of, exclusive of transfers, 6,154, or 35·59 to 32·19 per cent in 1867 were disposed of at head quarters; 9,983, or 57·70 to 59·79 in previous year by Tahseeldars and Naib Tahseeldars; 1,151, or 6·65 to 7·20 per cent in 1867, by Cantonment Judge of Rawulpindee; and 11, or ·06 per cent by Sirdar Futteh Khan, Honorary Civil Judge in the Rawulpindee district.

The following statement shows the amount of work done by each grade of officers during 1868 as compared with previous year:—

		Deputy Commissioners.		Assistant Commissioners.		European Extra Assistant Commrs.		Native Extra Assistant Commissioners.		Tahseeldars.		Naib-Tahseeldars.		Honry. Civil Judges		Cantonment Judge.		TOTAL.	
		Cases.	Per-centage.	Cases.	Per centage.	Cases.	Per-centage.	Cases.	Per-centage.	Cases.	Per-centage	Cases.	Per centage.	Cases.	Per-centage	Cases.	Per-centage.	Cases.	Per centage.
R. Pindee,	1867.	2	0·03	1,294	21·30	250	4·11	280	4·62	2,491	40·93	643	10·57	15	0·25	1,103	18·14	6,078	100
	1868.	11	0·15	1,985	27·28	413	5·70	251	3·52	1,812	39·37	508	7·12	11	0·15	1,151	16·12	7·112	100
Jhelum,	1867.	40	1	725	23	...	...	296	10	1,133	36·	959	30	..	...	..	...	3,153	100
	1868.	2	0·13	421	16·19	...	...	281	10·80	1,211	46·52	686	26·36	.	...	...	...	2,602	100
Goojrat,	1867.	53	1·69	716	23·62	3	0·10	115	3·80	1,598	52·73	547	18·06	..	...	...	...	3,032	100
	1868.	35	0·92	704	18·62	153	4·05	114	3·02	1,631	43·15	1,143	30·24	..	...	...	...	3,780	100
Shahpoor,	1867.	10	0·31	634	20·07	255	7·43	390	12·06	991	31·36	890	28·17	..	...	...	...	3,170	100
	1868.	98	2·60	585	15·50	605	16·03	495	13·12	1,141	30·31	848	22·44		..	..	...	3,775	100
Total	1867.	105	0·68	3,369	21·99	508	3·18	1,081	7·06	6,213	40·56	3,039	19·23	15	0·10	1,103	7·20	15,433	100
	1868.	147	0·84	3,095	21·36	1171	6·76	1,141	6·63	6,798	39·19	3,185	18·41	11	0·06	1,151	6·65	17,299	100

The proportion of cases decided by officers at head quarters in the Rawulpindee district has increased from 30 in 1867 to 37, and in Shahpore from 40 to 47, while at Jhelum it has fallen from 34 to 27, and in Goojrat from 29 to 26.

And consequently the per-centage of cases decided by Tahseeldars and Naib Tahseeldars has decreased in Rawulpindee from 51 to 46, and in Shahpore from 59 to 52, and has increased in Jhelum from 66 in previous year to 72, and in Goojrat from 70 in 1867 to 73 in 1868.

The proportion of cases decided by Tahseeldars and Naib Tahseeldars in Jhelum and Goojrat districts has been high. In the former it has been 16, and in the latter 20, per cent above that of the province for 1867.

Proportion of suits decided by Paid Judges and Unpaid Judges.

8. The only Unpaid Judge in this Division is Sirdar Futteh Khan of Kote in the Rawulpindee district. He decided only eleven cases.

Proportion of suits decided by European and Native Judges

35·61 per cent of the suits disposed were decided by European Judges, and 64·39 per cent by Native Judges.

The proportions for each district are—

	European Judges.	*Native Judges.*
Rawulpindee, ...	49·84	50·16
Jhelum, ...	16·32	83·68
Goojrat, ...	23·59	76·41
Shahpoor, ...	34·13	65·87

Decisions of Subordinate Officers how far inspected.

The decisions of subordinate officers are inspected by the Deputy Commissioners of districts. Errors of procedure were pointed out by the Deputy Commissioner Rawulpindee in 116 cases of those inspected. Colonel Bristow, Deputy Commissioner Jhelum, examined 540 cases, exclusive of those which came up in regular appeal. Major Smyly, Deputy Commissioner Goojrat, inspected 10 per cent of the cases in his district; and Captain Johnstone, Deputy Commissioner Shahpoor, reports that the files of cases disposed of by subordinate Courts are looked over and faulty procedure checked.

As for revision by the Commissioner, the thing is simply impossible. The work has been so heavy, and the office staff so inadequate, that it is a hard matter to keep down the current work.

Working of Act VIII of 1859.

9. The following extracts connected with this subject have been taken from the district reports.

Rawulpindee.—"The working of this Act has on the whole been satisfactory; a few errors and omissions in regard to the postponement of suits, issue of summonses, notice of dates of hearing, and dismissals in default, have occasionally been noticed, but these were results arising from inattention and oversight on the part of ministerial establishments, and not from any defect in the Act."

Jhelum.—"As I reported last year, the Act is being learned by degrees. Much progress in carrying out its provisions has been made during the year, but there is still room for improvement. I observe a vast improvement in the drawing of pleadings to what ruled under the sole action of the Punjab Civil Code."

Goojrat.—"The working of Act VIII of 1859 has been satisfactory. Irregularities in procedure are less frequent, and suitors themselves are beginning to acquire a knowledge of the provisions of the Act."

Shahpoor.—"Act VIII of 1859 works excellently if the Courts will abide strictly by its directions."

I have every reason to believe that the Act is a most admirable one, whether in the interests of the litigants or of the Judicial officers. The difficulties and delays arise from a non-observance of its provisions. The attention of some Deputy Commissioners requires to be called to the fact that appeals can only be decided on their merits in the presence of the appellant, and that in the absence of the appellant on the apppointed day they must be struck off on default. The practice is sometimes still followed of hearing appeals in the absence of the appellants.

PART.—II.—APPEALS.

Appeals to Deputy Commissioners

10. The total number of appeals instituted was 1,052 to 1,114 in 1867. Inclusive of 30 cases pending from last year, there were 1,082 for disposal, of which 1,013 were decided, and 69 were pending at the close of 1868.

Per centage of appeals reversed, modified and remanded for re investigation.

Of the 1,013 cases diposed of 37 or 4 per cent were withdrawn, transferred or struck off without trial.

157 or 16 per cent were returned for further investigation.

114 or 10 per cent were given in favor of appellant in whole.

51 or 5 per cent ditto in part.

654 or 65 per cent were decided in favor of respondents.

The following comparative return shows the number of appeals for disposal, those disposed of, and the per-centage of orders reversed, modified, and appeals returned for further investigation, in each district, during 1867 and 1868.

DISTRICTS.		Total number of appeals for disposal	APPEALS DISPOSED OF						PER-CENTAGE.		
			Appeals struck off without trial, transferred and withdrawn.	DECIDED ON TRIAL			Returned for further investigation.	Total disposed of.	Appeals reversed.	Appeals modified.	Returned for further investigation.
				In favor of appellant		In favor of respondent					
				In whole.	In part.						
Rawulpindee,...	1867,	372	18	72	17	222	36	365	19	4	9
	1868,	372	16	55	17	207	31	327	17	5	9
Jhelum, ...	1867,	356	41	18	12	209	62	342	5	3	18
	1868,	313	17	24	8	187	57	294	8	3	17
Goojrat, ...	1867,	196	1	20	9	101	64	195	10	4	32
	1868,	234	4	17	5	150	58	234	7	2	25
Shahpoor, ...	1867,	216	47	24	12	97	28	207	11	5	13
	1868,	163		18	11	110	10	159	11	13	6
Total, ...	1867,	1,140	106	134	50	629	190	1 109	12	5	18
	1868,	1,082	37	114	51	654	157	1 013	11	5	15

The reversals and modifications have resulted more from errors in fact than errors in law, as exemplified in the subjoined table—

DISTRICTS.	Number of appeals in which orders have been reversed or modified.	On account of errors in law.	On account of errors in fact.
Rawulpindee, ...	72	15	57
Jhelum, ...	32	...	32
Goojrat, ...	22	4	18
Shahpoor, ...	39	5	34

Of the 31 cases remanded in the Rawulpindee district, issues were referred to lower Courts under Section 354, Act VIII of 1859, in 15, and further evidence was called for in 16 cases; of the 57 cases in Jhelum, 48 were remanded under Section 351, and the remainder under Section 324. The remands in the Goojrat and Shahpoor districts were mostly under Section 351 of the Act.

Duration of appeals.

11. The average duration of appeals in the Rawulpindee district was 17 days, or 3 in excess of previous year; in Jhelum 13 days, the same as in 1867; in Goojrat 3, or 2 less than in previous year; and in Shahpoor 16 days to 26 in 1867.

The duration in Goojrat is very low compared with that of the remaining districts.

Appeals pending.

There were 69 cases pending at the close of the year.

The number in each district with date of oldest case is noted below :—

Rawulpindee,..	46	2nd October	1868.
Jhelum, ...	19	12th November	„
Shahpoor, ...	4	12th December	„

There were 4 appeals pending in the Rawulpindee district above two months. The cause of the delay in the disposal of these cases is thus accounted for by the Deputy Commissioner. "In one a commission had been issued on the Naib-Tehseeldar of Pindee Gheb, but as that official was absent on leave the case was unavoidably delayed."

The other 3 cases were returned for investigation on certain points by the appellate Court.

The necessary enquiry connected therewith had not been completed at the close of the year, and hence the delay."

Aggregate and average value and cost of appeals.

12. The following table furnishes the information relative to aggregate and average value and aggregate and average cost of appeals :—

DISTRICTS.		Aggregate value of appeals			Average value			Aggregate cost.			Average cost.		
Rawulpindee, ...	1867,	17 581	0	0	48	12	11	1 670	2	0	4	9	9
	1868,	14 736	0	0	45	3	3	1 775	2	0	5	7	1
Jhelum, ...	1867,	10 952	0	0	33	0	0	1 213	0	0	3	8	0
	1868,	14 510	0	0	49	5	8	2 023	0	0	6	14	1
Goojrat, ...	1867,	7 546	0	0	42	11	9	621	0	0	3	1	1
	1868,	10 921	0	0	46	10	9	1 502	8	0	6	5	6
Shahpoor, ...	1867,	5 565	0	0	26	11	1	1 264	2	0	6	1	8
	1868,	7,138	0	0	54	14	3	1,188	0	0	7	7	6
Total, ...	1867,	41 644	0	0	37	8	9	4 798	4	0	4	5	3
	1868,	47,305	0	0	46	12	1	6,488	10	0	6	0	5

Appeals to Commissioner.

13. 747 appeals were instituted during the year, to 720 in 1867. Inclusive of those pending there were 853 for disposal, of which 791 were decided and 62 were pending at the close of 1868.

Per centage of orders modified, reversed, and appeals returned for further investigation.

14. Of the 791 disposed of—

63 or 8 per cent were withdrawn, transferred or struck off without trial.

129 or 16 per cent of orders were reversed.

38 or 4 per cent of orders were modified.

78 or 10 per cent were remanded for further investigation.

463 or 61 per cent of orders were upheld.

The reversals and modifications in 1867 were 13 per cent. The per-centage during the year was 20, or 7 per cent in excess of 1867.

The per-centage of cases returned for further investigation in 1867 was 15, to 10 per cent during the past year.

Date of oldest case pending.

15. The date of the oldest case pending was 24th July 1868. This and the 6 other cases that were pending beyond two months were delayed for the report of Commissioners appointed under Section 180 of the Act.

PART III.—MISCELLANEOUS.

Execution of decrees.

16. There were 384 cases on the file at the close of 1867, and 6,463 were instituted during the year, making in all 6,847 for disposal. Of this number 6,399 were disposed of, and 448 were pending at the close of the year.

Of the number disposed of—

3,585 were completely executed.

1,076 were partially executed.

1,720 were struck off on default. And

18 were transferred.

Result of execution, per-centage of decrees executed in full.

The per-centage of decrees executed in full in the Rawulpindee district has risen from 42 in 1867 to 50 during the year under report; in Jhelum the per-centage (71) has been the same as in previous year; in Goojrat it has been 55 to 52 in 1867; and in Shahpoor it has increased from 54 to 55.

The per-centage of decrees executed in full, of the province, for 1867 was 42; compared with this standard the proportions of the decrees executed in full in the several districts during 1868 are favorable. The per-centage in Jhelum is particularly so.

Per-centage of decrees partially executed.

In Rawulpindee the per-centage of decrees partially executed has been 15, or 8 per cent less than in 1867; in Jhelum it has been 12, Goojrat and Shahpore 25 and 12 respectively, as in previous year.

Per-centage of applications struck off, of decree-holder of which no part has been executed.

The per-centage of decrees struck off on default in Rawulpindee has been 3 per cent in excess of last year, and 1 per cent in excess in the Jhelum district. In Goojrat it has decreased from 21 to 18 per cent, and in Shahpore it has been the same as in previous year, *viz.*, 32 per cent.

The following table shows the result of execution of decrees during 1868 as compared with previous year in detail:—

Districts.		Per-centage of cases executed.		
		In full to total applications disposed of.	Partially and then struck off owing to default of decree-holder.	Applications struck off on default of decree-holder, of which no part has been executed.
Rawulpindee, ...	1867,	42	23	33
	1868,	50	15	36
Jhelum, ...	1867,	71	12	15
	1868,	71	12	16
Goojrat, ...	1867,	52	25	21
	1868,	55	25	18
Shahpoor, ...	1867,	54	12	32
	1868,	55	12	32
Total, ...	1867,	52	20	26
	1868,	56	16	26
Province, for 1867,		48	22	24

Amount realized in execution of decrees.

The total amount realized in execution of décrees was Rs. 1,60,885. Of this—

Rs. 78,785 or 49 per cent were paid voluntarily into Court before application for execution.

Rs. 66,825 or 42 per cent were paid after attachment but before sale of goods.

Rs. 15,270 or 9 per cent were realized by sale of goods after attachment.

The proportion of realizations to decrees is shown in the following statement :—

DISTRICTS.	Total value of decrees in execution.	Total amount realized in execution.	Per-centage realized.
Rawulpindee, ...	1,35,986	57,519	42
Jhelum, ...	64,798	35,686	55
Goojrat, ...	64,083	38,857	60
Shahpore, ...	92,620	29,916	31
Province, 1867,	...	...	29

Average duration of decrees.

Compared with the results of the Goojrat and Jhelum districts, the amounts realized in the districts of Rawulpindee and Shahpore are small. The per-centage of the amounts realized in these districts is however in excess of that of the Province for 1867.

The average duration of decrees executed during the year was 24 days in the Rawulpindee district, 28 in Jhelum, 20 in Goojrat, and 30 in Shahpore.

Sales of house property in execution of decrees.

17. In 26 cases house property was sold in execution of decrees in the Rawulpindee district, 16 in Jhelum, 19 in Goojrat, and Shahpore 10.

Sales of hereditary or joint acquired property in land.

18. The only districts in which sales of hereditary or joint acquired property occurred were those of Jhelum and Shahpore. In the former there was one sale, and in the latter 17.

Sales of land other than the above.

19. There were no sales exclusive of the above mentioned.

Effect given to the provisions of sections 243 and 244 of Act VIII of 1859.

20. In no case was it found necessary to give effect to the provisions of these Sections.

Working of Act XI of 1863, Peons' Act.

21. The total income from Tulubana fees was Rs. 30,352-2-0, from which an expenditure of Rs. 14,751-0-0 was incurred, leaving a balance of Rs. 15,601-2-0 at the close of the year.

DISTRICTS.	Income in original suits.	Income in miscellaneous suits.	Income in appeals.	Total income.	Total expenditure.	Balance.
Rawulpindee, ...	6,485 6 0	2,275 4 0	269 6 0	9,030 0 0	4,627 7 5	4,402 8 7
Jhelum, ...	6,508 0 0	1,484 0 0	245 0 0	8,237 0 0	3,471 0 0	4,766 0 0
Goojrat, ...	4,432 4 0	2,687 6 0	151 8 0	7,271 2 0	3,072 0 0	4,199 2 0
Shahpore, ...	4,541 0 0	1,073 0 0	200 0 0	5,814 0 0	3,581 8 0	2,232 8 0
Total, ...	21,966 10 0	7,519 10 0	865 14 0	30,352 2 0	14,751 15 5	15,600 2 7

Income and expenditure of postage fund.

22. The receipts were Rs. 457-8-0. From this amount Rs. 293-13-3 were expended, and the balance at the close of the year was Rs. 163-10-0.

System of record prescribed by Book Circular No. 38 of 1862, and drawing of issues.

23. The Deputy Commissioners of the Rawulpindee, Goojrat and Shahpore districts, report that the instructions both in regard to the system of record and drawing of issues are carefully attended to.

I have occasionally observed a non-observance of the provisions of the Circular in one Court of the Shahpore district, the depositions of witnesses not being recorded in the vernacular.

Names of officers who are most distinguished for good English record and careful investigation.

24. Mr. Burney, Assistant Commissioner, Mr. Harrison, Assistant Commissioner, and Mr. Delmerick, Extra Assistant Commissioner of Rawulpindee, and Captain Harington, Assistant Commissioner Jhelum, are the European officers especially noticed for good English record, and complete and satisfactory investigation.

Among the Deputy Commissioners I would particularly mention Major Smyly, Deputy Commissioner of Goojrat. The record of Mr. Spéncer's cases at Shahpore is uniformly well prepared.

Working of Stamp Act 26 of 1867, and its effect on litigation.

25. Major Smyly, Deputy Commissioner Goojrat, and Captain Johnstone, Deputy Commissioner of Shahpore, report that the new Stamp Act has worked well, and both these officers, as also Major Urmston, Deputy Commissioner Rawulpindee, are of opinion that the Act has had no effect in decreasing litigation in their districts.

Colonel Bristow, Deputy Commissioner Jhelum is, however, of opinion that the decrease in the number of cases instituted in his district has resulted from the effects of the Act.

Working of the Pleaders' and Mookhtears' Act XX of 1865.

26. There are no Pleaders or Mookhtears in any of the districts of this Division.

Exclusive employment of officers in Civil work.

27. It was not found possible to employ an officer exclusively on Civil work in the districts of Rawulpindee, Jhelum and Goojrat, owing to a paucity of officers. In the Shahpore district the Civil work at the Sudder Station was made over to one officer, and changes were made every quarter; but Captain Johnstone, the Deputy Commissioner, reports that "most officers find the arrangement an irksome one, and would work more cheerfully if there was a variety in the business as formerly."

The plain fact is, that every department is overworked, and it is almost impossible to set aside one officer to a particular branch of duty.

PART V.—GENERAL.

29. I think it would be well if the Judges would make some observations in their report about the appointment of Commissioners under Sections 180 and 181 of Act VIII of 1859. I believe that not more than one person should be so appointed, the object being to separate the functions of a Commissioner from those of arbitrators. I have not unfrequently seen a report by two persons to whom a commission had been issued couched in the style of an arbitration award and professing to come from "arbitrators." The practice in this Division was very general of issuing a commission to more than one person, but it has now been checked.

MOOLTAN DIVISION.

Lieutenant Colonel J. W Cripps, Commissioner.

(*Received 12th, February* 1869.)

Original suits.

2. The number of suits instituted in the Civil Courts during the year amounted to 12,807, being 1,289 in excess of those of 1867; and the following statement gives the total for each district for the 2 years.

	In 1868.	In 1867.
Mooltan, ...	3,010	2,621
Jhung, ...	3,430	3,419
Montgomery, ...	2,699	2,055
Moozuffergurh, ...	3,668	3,423
	12,807	11,518

3. It is in the Montgomery district alone that the increase is of a marked character, and regarding it the Deputy Commissioner writes as follows:—

"The increase is confined to civil suits; and the largest proportion thereof occurred "in the third quarter, although the Courts were closed in September. This appears to be "owing to very partial fall of rain for the Khurreef crops, and to the fact of the past "Rubbee having been good and the zemindars able to pay yet withholding payments. In "the first and last quarters the increase was 24 and 22 per cent respectively; the first "being attributable to the favorable prospects of the past Rubbee and the latter to the "gloomy prospect of the ensuing Rubbee. In the month of December the suits are "doubled compared with last year, such claims as were long standing and no chance of "renewing them by the receipt of part payment being held out by the unfavorable state "of the harvest to come, they were instituted to prevent their being barred by the statute "of limitation."

4. With respect to the decrease in Revenue suits, the Deputy Commissioner of Jhung remarks thus in his report:— * * * * "If the operation "of Act XXVI of 1867 and Act XXVII of 1867, is not the cause, I cannot assign any "other reason. The remarks made by the Chief Court in para: 6 of the report for 1867,

"would, I submit, apply very well to flourishing and populous districts, but I question "if they would have equal force in districts such as Jhung, where the population is "scanty, and the people though comfortable not rich. The returns of the present year will "show whether the reasons assigned by the Deputy Commissioner of Shahpoor, referred to "in para: 7 of the Chief Court's Report, have proved correct."

5. The Deputy Commissioner of Moozuffergurh has some remarks in his report on the increase and decrease of suits Civil and Revenue, but they are too lengthy to copy here, and besides the litigation has not varied to an extent which calls for special notice.

6. There is nothing peculiar in the character of the litigation during the past year which calls for remark, beyond the decrease in betrothal cases noted by Major Ferris, who is of opinion that a great change has come over the people in the matter of early betrothals; but perhaps the cause of decrease may partially be found in the discouragement given by the Courts to recovery of monies expended in the ceremonies, and the distrust usually given to parole proofs.

7. To merely compare the character of the litigation of one year with that of the previous one would be of little value in a statistical point of view, and the annual returns have to be submitted at too early a date to allow of any elaborate comparison with the returns of a series of years.

Disposal of cases.

8. Suits to the number of 255 were pending from 1867, which with those instituted and received by transfer during 1868 make a total of 13,067; and of these, 12,644 were disposed of, leaving 423 pending at close of the year, the largest number being in the districts of Moozuffergurh, Jhung, and Mooltan; and though Montgomery had a heavy file of Civil suits within the year yet in that district only 50 cases are found as pending.

9. The number of cases decided ex parte was large, and larger still was the number of those dismissed on default, as seen by following statement.

	Decided Ex parte.
In Mooltan, ...	163
„ Jhung, ...	190
„ Montgomery, ...	267
„ Moozuffergurh, ...	100
Total, ..	720

	Dismissed in default.
In Mooltan, ...	497
„ Jhung, ...	669
„ Montgomery, ...	446
„ Moozuffergurh, ...	671
Total, ..	2,283

by which it is seen that more than 18 per cent of the cases tried were disposed of in this summary manner.

The Courts which show the largest per-centage of cases thus disposed of are those of
Captain Beadon, Cantonment Magistrate of Mooltan.
Lieutenant Armstrong, Assistant Commissioner of Moozuffergurh.
Mr. Garbett, Extra Assistant Commissioner Jhung.
Mr. Champneys, Assistant Commissioner Montgomery.
Mr. Goldney, Extra Assistant Commissioner Montgomery.
Mr. Macauliffe, Assistant Commissioner Mooltan.
Mr. Gordon, Extra Assistant Commissioner Mooltan.
Gopaul Suhoy, Extra Assistant Commissioner Jhung.
Roostum Beg, Tahseeldar of Montgomery.
Niamut Rai, „ of Pak Puttun.
Sheikh Urjmund, „ of Montgomery.
Goolam Moortuza, „ of Mooltan Tahseel.
Dhurm Dass, „ of Alipoor „
Busheer Ahmed, Naib Tahseeldar of Moozuffergurh Tahseel.
Burkut Allie, „ „ of Montgomery.
Rugonath Rai, „ „ of Pak Puttun.

10. Enquiries were lately made through Deputy Commissioners regarding the Courts most given to strike off suits on default; and as a rule the legal procedure seems to have been acted up to, but I am doubtful if cause lists are always prepared with due care and placed so that suitors may have free access to them, and I intend to call the attention of Deputy Commissioners again to the great need for care on this head now that the provisions of the Procedure Code are strictly observed, for if cause lists are prepared in a slovenly manner and dismissals on default keep at so high a figure we may well be sceptical of the blessings to be found in a stringent Code of Procedure amongst a people who set no great value on punctuality, and imagine an English Hakim too powerful to be fettered by the wording of a Code.

Arbitration.

11. The results of arbitration are shewn below—

	No. of cases.	Judgment according to award.	Award set aside.	Pending.
Mooltan,...	142	142	...	...
Jhung, ...	174	158	11	5
Montgomery, ...	155	153	...	2
Moozuffergurh, ...	170	160	...	10
Total, ...	641	613	11	17

Thus, except in the Jhung district, the results are found satisfactory; and if carefully watched by the Courts, I cannot but consider this mode of disposing of complicated suits a most suitable one, and where nothing but oral proofs are forthcoming in every way preferable to wasting time in recording a number of conflicting and untrustworthy depositions.

12. Of the 11 cases in which awards were set aside, ten were in the Courts of the Tahseeldars of Jhung, and regarding these enquiries will be made towards ascertaining if the proper procedure was followed.

General average duration.

13. The average duration of cases calls for no special notice, except that of the Court of Mr. Barkley, when Officiating Deputy Commissioner of Mooltan, and the Deputy Commissioner in his report has not noticed it, but explanation will be called for.

14. The Deputy Commissioner of Jhung affords explanation of the delay in disposal of cases in his own Court, and in those of the Tahseeldars of Shore Kot and Chiniot.

15. The Deputy Commissioner of Moozuffergurh likewise gives reasons for the somewhat high average duration in Court of Sohun Lall, Extra Assistant Commissioner.

Aggregate and average value of suits and per centage of costs.

16. On the head of aggregate and average value of original suits and per-centage of costs the returns do not show anything of an exceptional character calling for special remark, and Deputy Commissioners report that costs are carefully taxed.

Pending cases.

17. There are 423 cases pending at the close of the year, and two of these are from August 1868—one in the Court of Mr. Rowe, Extra Assistant Commissioner of Mooltan, and the second in that of Sohun Lall, Extra Assistant Commissioner of Moozuffergurh; and of these explanation is given in the district reports; but I regret to find that cases are allowed to remain pending in Mr. Rowe's Court for reasons not always of a satisfactory nature; and though his time is unavoidably much occupied in Treasury work, yet I fear he does not give that close attention to the state of his files which might reasonably be expected.

Agency by which suits were disposed of.

18. The suits were disposed of by the different grades of officers thus:—

Deputy Commissioners, ...	278
Officers with full powers, ...	2,005
Officers with special or ordinary powers, ...	9,776
Judges Cantonment Small Cause Courts, ..	585
Total, ...	12,644

Of the above, 8,927 were disposed of by Tehseedars and Naib-Tehseeldars.

19. Lieutenant Armstrong, when officiating as Deputy Commissioner of Moozuffergurh for a brief space, decided no less than 150 suits; and Major Fendall, Deputy Commissioner, likewise disposed of 59 cases.

The Deputy Commissioner of Montgomery has remarked on the difficulties he has to encounter towards relieving the files of the Tahseeldars, and with reference to the extent of his district and increase of litigation the staff of Assistants was undoubtedly too weak; and the same remark will apply to Moozuffergurh, where the Deputy Commissioner's time was much taken up with Civil work.

Classification of Judges.

20. There are no unpaid Judges in the Division, but the following shows how the work was distributed between European and Native Judges.

Case decided by European Judges, ...	2,936
Do. by Native Judges, ...	9,708

Judging from the district reports the character of the work performed has been generally fair, and the decisions of subordinate officers have also been inspected to a reasonable extent.

21. I disposed of one original suit for a large amount in which the Punjab Bank was plaintiff, and the Officiating Deputy Commissioner being a shareholder considered himself disqualified to try it.

22. With regard to the working of Act VIII of 1859, the Deputy Commissioners of Jhung, Montgomery and Moozuffergurh report favorably, but not so the Deputy Commissioner of Mooltan, whose remarks are appended.

"The neglect of the Courts in complying with the procedure noticed by the Judges "at para: 169 of their Report for 1867 is undeniable, the irregularities there noticed are "unquestionable; they are most frequent I think in the Courts of the Native Officers, because "the sittings of their Courts are oftener (unavoidably) held irregularly owing to their out-"door work and duties interfering with the same, and also because they are more afraid of "the consequences of delay in the decision of cases; thus the merits and advantages of the "Civil Procedure Act are marred and defeated by both Tuhseeldars and others having too "much besides judicial work to do, to carry out strictly, entirely and always as they should "do the provisions of the Code, and are apt sometimes to take undue advantage of the pro-"visions of the Code to get rid of cases long pending for no greater fault than press of "work in other departments and because no excuses are allowed for delay in any depart-"ment of business."

As far as I have had opportunities of judging, it is my opinion that a much better attention is now being given in every district to the Procedure Code by the Native Judges, and that a very fair amount of supervision is exercised by the Deputy Commissioners towards checking irregularities.

PART II.—APPEALS TO DEPUTY COMMISSIONERS.

23. Appeals to the number of 457 were entered in the Deputy Commissioners' Courts, compared with 572 of the previous year.

In 112 cases the orders of the Lower Courts were reversed or modified, and in 101 remanded for further enquiry.

In Jhung 50 per cent of the appeals were thus reversed, modified or remanded for further investigation, the most unfavorable results being found in the Court of Ruheemood-deen, Tuhseeldar, from whose decisions there were 55 appeals, and orders reversed, modified or remands made in 31 cases.

The results in the appeals from Dhurm Dass, Tuhseeldar in the Moozuffergurh district, were more unsatisfactory, for out of 15 appeals only 20 per cent of the decisions were confirmed by the higher Court.

The reversals and modifications except in a few instances were on account of errors in fact.

Duration of appeals.

24. The duration of appeals was 15 days, compared with 14 days of the previous year, and only one case remained pending in the Court of the Deputy Commissioner of Mooltan, the date of institution being 9th December 1868.

In the other districts the appeal files were clear.

Aggregate and average value and cost of appeals.

25. The following statement shows the aggregate and average value and cost of appeals according to districts :—

AGGREGATE VALUE OF APPEALS.

	Civil Suits.	Regular Revenue.
Mooltan, ...	5,337	4,374
Jhung, ...	5,589	4,323-3
Moozuffergurh, ...	1,372	2,822
Montgomery, ...	2,265	926

AVERAGE VALUE OF APPEALS.

	Civil Suits.	Regular Revenue.
Mooltan, ...	59 15 5	66 4 4
Jhung, ...	60 12 1	54 4 8
Moozuffergurh, ...	45 11 9	51 4 11
Montgomery, ...	80 8 0	61 7 0

AVERAGE COST OF APPEALS.

	Civil Suits.	Regular Revenue.
Mooltan, ...	6 10 10	8 9 10
Jhung, ...	8 0 5	7 12 7
Moozuffergurh, ...	6 8 11	6 5 7
Montgomery, ...	10 0 0	8 0 0

Petitions for review of judgment.

26. Deputy Commissioner of Mooltan makes no mention of any petitions for review of judgment.

Deputy Commissioner Jhung reports that 5 petitions were given in which the original orders were upheld in four cases, one being still pending.

Deputy Commissioner of Moozuffergurh also reports 5 cases, but does not mention the result.

In Montgomery there were no such petitions.

Working of the Punjab Appeal Act.

27. The Deputy Commissioners of Mooltan and Moozuffergurh are silent on the subject, but the Deputy Commissioners of Jhung and Montgomery report favorably of the working of the Punjab Appeals' Act; and my own opinion is quite in accord with theirs, as it must tend to stay much vexatious litigation and likewise teach the people to exercise more care and precision in their engagements.

Appeals to Commissioner's Court.

28. During the year there were 279 appeals on the file, including 12 of 1867, shewing as compared with the latter year a decrease of 73 cases, which I conclude is owing to the heavy institution fees in the absence of any other well known cause for any diminution, as the Punjab Appeal Act has not been introduced sufficiently long to have thus affected the files. In all, 266 cases were disposed of, and in these 12 per cent of the decisions were reversed and 2½ per cent modified, nearly the whole being for error in fact.

14 per cent were remanded for reinvestigation, chiefly for fresh evidence to be recorded before the Courts of first instance.

Duration.

29. The average duration of appeals was 27 days, and 13 cases remained pending at the close of the year, the oldest one being of 30th October 1868, in which fresh evidence had been called for through the Court of the Deputy Commissioner of Jhung.

Aggregate and average value and costs.

30. With regard to the average value and cost of appeals there is nothing calling special notice.

Review of judgment.

31. For review of judgment nineteen petitions were received, of which 17 were rejected and two admitted.

PART III.—MISCELLANEOUS.

Execution of decrees.

32. The following shows the résults of execution of decrees.

	Number.	Average duration.	Pending.
Mooltan, ...	1,134	20 days.	96
Jhung, ...	1,226	24 „	77
Moozuffergurh, ...	1,272	19 „	95
Montgomery, ...	938	23 „	35

Sales of real property.

33. In Montgomery the sales of real property numbered 1 (one); but in Mooltan, Jhung and Moozuffergurh no sales took place.

34. There were no sales of hereditary or joint acquired property in land, but one sale was recommended from Jhung, on which orders have not yet been received.

Other sales of land.

35. No other sales of land not hereditary or joint acquired took place during the year.

Transfers under Sections 243 and 244 of Act 8 of 1859.

36. In the Mooltan district one transfer under Section 244 of Act VIII of 1859 was effected.

Tulubana Income &c.

37. The Tulubana Income and Expenditure of the districts are :—

	Income.			Expenditure.		
Mooltan, ...	5,931	6	...	2,809	12	6
Jhung, ...	6,170	15	...	2,774	7	2
Moozuffergurh, ...	7,759	13	..	3,974	12	10
Montgomery, ...	4,956	15	..	2,345	4	8

38. The Deputy Commissioner of Moozuffergurh recommends the expenditure of the Surplus Tulubana in increasing the salaries of the Naib Tuhseeldars, and in maintaining an Extra Mohurrir at Tuhseels; and with respect to the former recommendation, though this

is not quite the place to support it, yet doubtless the time is near when the position of both Tuhseeldars and Naib Tuhseeldars will have to be improved, now that the salaries of Sheristedars have been so much increased.

System of Record.

39. The prescribed system of record appears to be fairly observed, and good attention is also given to the drawing of issues.

English Record.

40. I have not observed any such special superiority in the English records of any of the officers of this Division, with the exception of those prepared by Mr. Barkley, which were always full and to the point, besides being written in a very legible hand.

41. The records of Mr. Garbett, Extra Assistant Commissioner, are generally carefully prepared, but often too voluminous, and I hope he will study to make them more concise.

42. The revised Stamp Act has most probably tended somewhat to check litigation, but the great defect in it has been well remedied by Book Circular 25 of 1868, and a sore grievance of the agricultural classes been thus judiciously got rid of.

43. There are only two native licensed Pleaders at Mooltan, who occasionally practice in my Court, and show a fair knowledge of law and procedure; and in a few instances Pleaders (European and Native) have attended from Lahore in important appeal cases, and I have not seen any reason to disapprove of their style of conducting the appeals.

44. The staff of officers has been weak in all the districts of this Division during the past year, and thus it has been found impossible to employ any exclusively on Civil duties.

DERAJAT DIVISION.

Lieutenant Colonel S. F. Graham, Commissioner.

[*Received 3rd May* 1869.]

PART I.—ORIGINAL SUITS.

1. The number of suits instituted during the year under report was 11,190, plus 377 cases brought over from the year previous, making an aggregate of 11,567 cases for disposal; of the above, 8,062 were Civil suits, 3,345 Regular Revenue, and the remaining 160 Summary suits.

The following table will show that a decrease of 1,391 (instituted,) cases has taken place in the year under review, when compared with the previous year. It will also be observed that a similar decrease took place in 1867, when compared with the figures of 1866; and I agree with Major Munro that it may now "be fairly assumed that this annually recurring diminution "is attributable, almost entirely, to the deterrent operation of the Stamp Act, especially as "regards Regular Revenue suits."

DISTRICTS.	Instituted in 1866.	Instituted in 1867.	Instituted in 1868.	Difference between 1866 & '67.	Difference between 1867 & '68.
Dera Ismail Khan, ...	5,056	4,396	4,022	660	374
Dera Ghazee Khan, ...	4,275	3,947	3,710	328	237
Bunnoo, ...	4,946	4,241	3,458	705	783
Total, ...	14,277	12,584	11,190	1,693	1,394

2. *Disposal of cases.*—Of 11,567 cases for disposal, 11,135 were decided within the year, and 432 pending at its close.

The number of cases decided in favor of plaintiffs, on trial, in whole or in part, was 2,947, or 26 per cent; that in favor of defendants 1,285, or 11·54 per cent; and those decided *ex parte* 279, or only 2·50 per cent, a fair indication that decisions in the absence of either party to a suit are not hurried.

1,116 cases or 10·2 per cent of the whole number disposed of, were dismissed on default, the proportion of such dismissals being most prominent in the districts of Dera Ismail Khan and Dera Ghazee Khan. Major Munro, the Deputy Commissioner of Dera Ismail Khan, explains the cause of these numerous dismissals to arise from the fact of "many of the suitors in "the Bukkur Court (where these dismissals are largest) being residents of the Sind Saugor "Doab Thull, a pastoral people, whose pecuniary transactions are simple in their nature, and "small in amount, and whose grazing grounds are at a considerable distance from Court. On "issue of a process to defendant, he at once arranges with his creditor, to avoid costs, the trouble "and inconvenience of a long journey, and a possible detention thereafter for some time, till "his case can be disposed of; plaintiff's object gained, and the cost of institution stamp and "tullubana reimbursed, he leaves the petition of plaint to be dismissed on default, and this I "believe is of frequent occurrence."

Preparation of cause lists are reported not to be very systematically carried out; but a stricter attention to the matter is said to have been enjoined for the future.

3. *Arbitrators.*—The number of cases referred for decision by arbitrators was 597, or 5·36 per cent; of these, 528 were in favor of plaintiffs, and 69 in favor of defendants. In none was the award set aside.

The Deputy Commissioner of Dera Ismail Khan considers the necessity of confirming the awards of arbitrators, except on grounds of misconduct or corruption, as having a deterrent effect, based on the annually recurring decrease in the number of cases referred to arbitration since the introduction of the Civil Procedure Code, and this opinion would seem to be borne out by the subjoined statement:—

		In favor of plaintiff.	In favor of defendant.	Total.
Dera Ismail Khan, ...	1866,	341	50	391
	1867,	196	37	233
	1868,	165	17	182
Dera Ghazee Khan, ...	1866,	348	86	434
	1867,	203	37	240
	1868,	113	30	143
Bunnoo, ...	1866,	225	15	240
	1867,	218	47	265
	1868,	250	22	272

Enlarging further on the subject he writes—

"The *mutual satisfaction* of parties (to a suit) with the decision, being a desirable "element, if attainable, a doubt may be hazarded whether the new procedure be entirely "satisfactory to the people; on the other hand, it may be confidently asserted that the special "decisions of the Courts are judicially preferable to the frequently vague and indefinite "statements which obtained under the old system of a quasi compulsory reference of cases "to arbitration."

The Officiating Deputy Commissioner Bunnoo writes—"The cause of the number being so few is o wing to the distrust of litigants of the good faith of parties chosen by the opposite "litigant as arbitrators * * * * A poor litigant when opposing a comparatively wealthy "man, never agrees to refer his case to arbitration, for he knows that the other's influence "would swamp him in any case. In suits which are transparently groundless, I often observe "that the plaintiff is eager for decision by arbitration, and the defendant entirely against it, "as the latter feels he must win if the Court decides the case, and the former knows he has "a chance of winning by arbitration and none by trial."

4. *General average duration of cases.*—The general average duration of cases was 21 days to 18 in 1867, and the per-centage of pending cases at close of the year 1·38 against 2 per cent in the year previous. It is to be regretted that the average duration of cases—noticeable both in the higher and lower Courts—should be more on the side of increase this year than in the last; but as Major Munro remarks: "it very often happens that the time "of the principal officers of the Sudder Courts is broken into by work of a multifarious and "sometimes important nature, to the exclusion of other duties, and such work makes no "show in returns, a fact which is doubtless borne in mind when deductions are drawn from "figured returns."

5. The aggregate value of original suits of all kinds disposed of was Rs. 4,20,553-11-3, giving an average of Rs. 37-12-3 per suit. The per-centage of costs to value is Rs. 15-0-9.

Costs are taxed in accordance with the requirements of Act XXVI of 1867, the aggregate, including *Tullubanah*, cost of dieting witnesses, copyists' fees, miscellaneous petitions, &c. &c.

6. The number of cases pending at the close of the year was 432 or 3·73 per cent on the number instituted—44 of which, date above 2 months, the preponderance being in Dera Ghazee Khan. The large number (38) in this district is attributed to the absence for 3½ months at the close of the year of Captain Sandeman, the Deputy Commissioner, which precluded his working up towards the clearance of his pending file. Those pending above 2 months in the other District Courts are few in number, *viz.*, 6, and are explained in the district reports which accompany.

7. The agency by which original suits were disposed of was as follows:—

Deputy Commissioners, ...	95
Assistant and Extra Assistant Commissioners, ..	2,775
Tehseeldars and Naib Do., ...	7,418
Honorary Civil Judges, ...	917
Total,	11,135

8. The number and proportion of suits decided by Stipendiary and Honorary Judges were—

I. (a).—Paid Judges 10,218 or 91·76 per cent.
(b).—Unpaid Judges 917 or 8·23 per cent.

II. (a).—European Judges 1,579 or 14·18 per cent.
(b).—Native Judges 9,556 or 85·81 per cent.

10. The provisions of Act VIII of 1859 seem to be carefully attended to by all Courts.

PART II.—APPEALS TO DEPUTY COMMISSIONERS.

11. The number of appeals for disposal, inclusive of those pending at the close of the previous year, was 641, 613 of which were disposed of, leaving 28 cases pending at the close of 1868.

These 613 cases were thus disposed of—

Withdrawn or struck off, ...	54 or 8·80 per cent.
Reversed and modified, ...	65 or 10·60 per cent.
Decisions upheld, ...	305 or 49·75 per cent.
Returned for re-investigation, ...	189 or 30·83 per cent.

12. The general average duration was as follows :—

Dera Ismail Khan, ...	51 days.
Dera Ghazee Khan, ...	31 „
Bunnoo, ...	74 „

The high average duration in the district of Dera Ismail Khan is attributed by the Deputy Commissioner of that district to "change of officers and to other local circumstances," and by the Deputy Commissioner of Bunnoo to "absence of an assistant in the Meeanwallee Sub-Division for 3 months."

The date of the oldest pending case in Bunnoo was 23rd December 1868, and in Dera Ghazee Khan 1st October 1868, while in the district of Dera Ismail Khan the file is a clear one.

The aggregate and average value and cost of appeals is as under :—

Aggregate value of appeals, ..	23,479
Average Do., ...	... 38- 4-9
Aggregate cost of Do., ...	3,883-10
Average Do., ...	... 6- 5-4

15. The working of the Punjab Appeals Act No. VII of 1868, is reported as beneficial

APPEALS TO COMMISSIONER.

The number of appeals preferred to Commissioner during the year was 305, exclusive of 187 cases brought over from the past year 1867, making in all 492 cases for disposal; of the above, 143 were disposed of, leaving a balance of 49 cases on the pending file.

The following detail exhibits the way in which the above cases have been disposed of, *viz* :—

Withdrawn, transferred or struck off without trial, ...	17 or 3·83	per cent.
Reversed and modified, ...	23 or 5·19	„
Rejected, ...	311 or 70·20	„
Remanded for further investigation,	92 or 20·76	„

The average duration of appeals is given at 179 days, very much higher, I regret to find, than in the previous year. I can only say that I will endeavour to improve in this matter.

The per-centage of appeals remaining for disposal at close of the year was 9·95, and the date of the oldest pending appeal 20th March 1867. For explanation of cause of delay in disposal of the 6 oldest pending cases see foot note in Divisional Statement.

The aggregate and average value and cost of appeals is as follows :—

Aggregate value, ...	65,710-6-9
Average value, ...	148-5-3
Aggregate cost inclusive of tullubana, pleaders' fees,	7,001-4-0
Average cost, ...	15-12-10

16. Execution of decrees was sued for in 3,771 cases, for Rupees 1,70,677-12-9, Rs. 97,636-4-5 of which was realized, giving a per-centage of 57·20.

17. 9 sales of house property are reported in the districts of Dera Ismail Khan and Dera Ghazee Khan.

21. The Peons' Act is also reported as working well, and the new method of levying tullubanah a palpable improvement on the old system. The realizations from this source (Divisional and District) are shown to be as under :—

	Income.
District Courts, ...	19,219-8-0
Commissioner's Court, ...	463-6-0
Total Rs., ...	19,682-14-0
	Expenditure.
District Courts, ...	9,695-10-6
Commissioner's Court, ..	264- 0-0
Total Rs., ..	9,959-10-6

Balance—9,723-3-6, or about half the income.

2. The income and expenditure of the Postage Fund, under Book Circular XXVIII of 1865, for the year under review, is given as under :—

Income, ...	142- 8-6
Expenditure, ...	64-13-0
Balance, ..	77-11-6

PESHAWUR DIVISION.

Major F. R. Pollock, C. S. I., Commissioner.

[*Received on 24th February* 1869.]

PART I.—ORIGINAL SUITS.

Number instituted and on the file.

1. There were 8,246 suits instituted during the year, viz :—

In Peshawur district,	.. ..	6,489
„ Huzara do.	.. .. ..	902
„ Kohat do.	.. .. ..	855
Total,		8,246

Including the 414 cases which remained pending on the file from 1867, there were altogether for disposal 8,660 suits, being only 32 less than in previous year. No summary suits have been shown in any of the district statements, and both regular and summary cases have been excluded from the Huzara returns, for the reasons given in my last year's report.

Character of the litigation.

Regarding the character of the litigation nothing need be said as far as the districts of Huzara and Kohat are concerned, but some remarkable changes have occurred in the Peshawur district, and are noticed as follows by Captain Waterfield.

" Suits for goods sold have decreased from 427 to 290; no suits for money due for breach of contract appear in last year's statement, whilst in this year's are entered 458. Suits for personal property have doubled, rising from 89 to 176.

" There have been no suits to compel specific performance of contract, whilst last year there were 298.

" No doubt the suits have this year been more correctly classified."

In the District Courts there has been a decrease in partnership accounts from 40 to 19, which the Deputy Commissioner cannot explain.

A large increase in suits relating to revenue is observable, owing, as noted by the Deputy Commissioner, to disputes and difficulties having arisen during the absence of Putwarees engaged in settlement operations.

Suits relating to mortgage of immoveable property have fallen from 655 to 142.

" Claims for right of pre-emption have fallen from 136 to 43, probably owing to the Stamp Act."

Suits regarding relative rights of landholders have fallen from 365 to 154. The Deputy Commissioner attributes this decrease to the increase noticed under the head of the suits relating to revenue.

He (the Deputy Commissioner) writes—" I hope the present classification is correct, it will be carefully enquired into, and registers have been prepared for the future, corresponding with the headings in No. X Statement, which will be filled up daily as cases are decided in each Court.

"No doubt columns 32 and 33 of statement X are altogether misunderstood, but I observe in the imperial return II B, No. 6 for 1867, the same errors in other districts. In columns 28 to 31 have only been entered those cases which have been decided by a "futwah" or "baiwaslah."

Owing to the work of the Small Cause Court having been classified differently this year, there is hardly any use in reviewing the character of the litigation as compared with previous year.

Mr. Woodward, the Judge, in reporting on the working of his Court during the year under review, pointed out that the institutions in the Small Cause Court would amount to a larger number if the other Civil Courts in the district would realize, and act on the fact, that his Court has exclusive jurisdiction in certain classes of cases, which have hitherto been disposed of at the Tehsils or elsewhere, such for instance as summary and regular revenue suits by landholders for rent, and classified in the vernacular as "Lumbaree Mal."

Suits erroneously disposed of in Courts of Tehsils, which should be heard by Small Cause Court Judge.

On this coming to my notice I immediately addressed the Deputy Commissioner, with the view of ascertaining his opinion as to the correctness of the Judge's statement, to effect that suits were being erroneously disposed of in the Courts of Tehsildars; and if so, whether the matter had been brought to notice during the past year, and if any steps had been taken to ensure the Tehsildars referring plaintiffs to Small Cause Court Judge in cases of the kind referred to in Mr. Woodward's report.

In reply Captain Waterfield referred me to his Civil Report, from which I extract his remarks in extenso:—

"With reference to the Judge's 2nd para: regarding the entertainment in the Tehsils of suits over which the Small Cause Court has exclusive jurisdiction, I should have been glad if this had been brought to my notice before, but my attention was first called to it in the Judge's report for the last year, received a few days ago. The matter was never noticed, altho' the Judge was aware of the cases being so heard in the Tehsils; perhaps this has been owing to the really small number of such cases: I find that only 168 suits have been decided in Tehsils which should have gone to the Small Cause Court.

This addition to the 2,881 cases filed in the Small Cause Court would have been inappreciable.

I think that both in Daoodzai and Nowshera it should be left optional with the plaintiffs to file their petty suits in the Tehsil Courts at their very doors or in the Small Cause Court if they prefer it.

The entire Khalsa Tehseel should not be within the jurisdiction of the Small Cause Court; but the Bara river, some 7 or 8 miles from Peshawur, should be the boundary, in both the Khalsa and Daoodzai Tehsils. As it is now, if the order regarding jurisdiction is carried out *literatim*, parties will have to come 26 miles, and in the case of the very large villages of Khaeshkee and Nowsherapar to cross the Cabul river as well, when the Tehsil is within a mile or two of them."

Orders have now been issued for the correct observance of the rules, and a report will be submitted hereafter proposing some modification of the limits of the Small Cause Court jurisdiction.

I am myself of opinion that owing to the heavy and multifarious duties of our Tehsildars, it is clearly desirable to prevent their taking up any class of cases unnecessarily.

Disposal of cases.

2. Of the total number of suits for disposal, about 14 per cent was disposed of without trial or decree, 343 cases were adjusted and withdrawn under sections 96 and 98 Act VIII of 1859; 918 were dismissed on default; and 2 transferred.

3,745 or 43 per cent were disposed of without contest in Court, namely, 428 suits were decided ex parte, 544 by confession, 1,282 by compromise and consent, and by arbitration 281, of which only 75 cases were in favour of defendant.

3,276 or about 38 per cent were contested in Court, and decisions passed as under: 1,391 were in favor of plaintiff in whole, and 977 in part, the remainder being in favor of defendant.

The dismissals on default were much above the average in some of the Courts of the Peshawur district, especially in those of Extra Assistant Commissioners Mr. Owen and Hafiz Sumundar Khan; the dismissals in the Court of the former were chiefly during the last quarter of the year.

Deputy Commissioner states that they will be again brought on the file, in all cases in which it is clear upon the record that the plaintiff was not aware of the day fixed for hearing; when the disposal of the cases in this manner, in the Court of Hafiz Samundar Khan came to the notice of the Deputy Commissioner during the year, all such cases were brought again upon the file.

In Huzara district the ex parte decisions were above the average in the Courts of Lieutenant Wood, Assistant Commissioner, and Sheikh Gholam Moortarza.

Arbitration.

3. In the Peshawur district, 217 cases were decided by arbitration, of which 47 were in the Small Cause Court, and 9 in Cantonment Small Cause Court. Of these, judgment was made according to award in 203 cases, or about 93 per cent, the other 14 cases having been set aside for corruption or misconduct under section 324 Act VIII of 1859.

Of the 40 cases decided by arbitration in Huzara, 95 per cent were confirmed, and 5 per cent was set aside.

The Deputy Commissioner Kohat has not noticed the subject, but I gather from the district statement that 36 cases were referred for settlement, all of which were confirmed, none having been set aside.

There were 376 cases pending at close of the year, namely—

In Peshawur district	...	...	...	260
„ Huzara do.	...	...	...	106
„ Kohat do.	...	...	...	10
Total			...	376

Per-centage of cases remaining for disposal.

This is an improvement on the per-centage of cases remaning for disposal, as far as Peshawur is concerned. In Huzara however the per-centage has been doubled, which is accounted for by Captain Ommanney as follows:—

"This large number of suits pending at close of the year is owing to the late disturbance in Agrore, and expedition into the Black Mountain. The Tuhseeldar of Hurreepoor, Sheikh Gholam Moortarza, also was degraded to post of Naib Tehseeldar from 1st August 1868, and has since then been solely employed in revenue duties connected with that valley."

In short, without further quoting the Deputy Commissioner's explanation in regard to the large number of cases pending, I may state in brief, that the same reasons which have already been given in my Criminal Report, precluded the several Judicial Officers in Huzara from clearing off the cases on their respective files; and as such reasons are cogent enough, I will not dwell further on the matter in this report.

Average duration of cases.

4. The average duration of each case is high in all these districts. Captain Waterfield remarks that the average of his district has been interfered with by the duration of 3 heavy suits, over 129 days each, and that Captain Hastings' average has been spoilt by a heavy case of Rs. 12,000 submitted to arbitration.

The average of the Huzara district has been ruined for the reasons already alleged, namely, the Agrore disturbance.

The matter has not been noticed by Captain Cavagnari, in whose district the average was 31 days. There were altogether 11 cases pending above two months in the entire Division, 8 of which were in Peshawur. Regarding these, Captain Waterfield explains that the delay in their disposal was owing to certain necessary witnesses being residents of other districts. The date of oldest case pending was 2nd October 1868.

Aggregate and average value of original suits.

5. The aggregate value of original suits was as follows :—

Peshawur,	.. ..	3,41,348
Huzara,	.. ..	44,027
Kohat,	.. ..	28,311
	Total ...	4,13,686

to Rs. 3,92,660 in previous year. The average value of each suit was 49-15-0, to 47-7-3 in 1867; and the per-centage of costs to value was 12 Rs. to 11 Rs. in previous year.

The Deputy Commissioner of Peshawur states that costs are taxed upon the schedule or bill of costs filed in the suit, after being decided, before the decree is made out. They are again examined before the case is filed in the Record Office.

In Huzara costs are taxed according to the rules prescribed by Judicial Commissioner's Book Circular No. 83 of 1861, and section 188 Act VIII of 1859.

The subjoined table will shew the work done by each grade of officers :—

Grade.	Peshawur.	Huzara.	Kohat.
Deputy Commissioner, ...	19	2	22
Assistant do. with full powers, ...	528	319	...
Do. do. with special powers,...	23	147	172
Do. do. with ordinary powers,	652	...	52
Tehsildars, ...	1,662	378	378
Honorary Civil Judges, ...	6	...	126
Judge Small Cause Court, ...	2,844	...	...
Cantonment do.	854	...	...
Total, ...	6,588	846	750

I am glad to observe, from the above statement, that as compared with previous year, the Deputy Commissioners in general disposed of a less number of cases. They ought not, as remarked in my last year's report, burthen themselves with Civil suits, except in difficult and important ones. The work fell very light on all the officers exercising full powers, with the exception of Colonel Dhunraj, Extra Assistant Commissioner, who disposed of 222 cases.

Of the Extra Assistant Commissioners in the Peshawur district exercising ordinary powers, Hafiz Samandar Khan, decided the greatest number of cases.

Work done by Tehseeldars.

Of the total number of Civil suits instituted in the Courts of the Peshawur district the Tehseeldars decided 73 per cent. Sooltan Jan, Tehseeldar of Khalsa Khuttuk, disposed of 405 suits; and Nund Gopal, Tehseeldar of Daoodzai, 101 cases. Captain Waterfield thinks that the latter might well have a large Civil jurisdiction.

Working of Small Cause Court noticed.

In addition to the large number of suits instituted in the Small Cause Court, Mr. Woodward, the Judge, disposed of 32 cases in the ordinary Courts. His report on the working of the Small Cause Court during the year shows, as remarked by the Deputy Commissioner, how admirably it has been working under him (Mr. Woodward). The increase of work is attributed to a rapid and vigorous execution of decrees. Beharee Lall, Extra Assistant Commissioner, officiated for one month, and disposed of a good number of cases.

Working of Cantonment Small Cause Court.

In the Cantonment Small Cause Court 854 cases were instituted, of which 11 per cent was dismissed in default. Only 20 per cent of the entire number was contested. Captain Waterfield states that the class of cases in this Court must be very simple, the average duration of each case being about 6 days. Colonel Elwyn disposed of the whole of the suits with the exception of 4 cases pending, none of which were above two months.

In the Hazara district, Lieutts. Lang and Wood disposed of about 37 per cent of the Civil work between them. The Extra Assistant Commissioner, Sheikh Abdool Russool, also decided a good number of suits.

In the Kohat district, Rai Radha Kishen, Tehseeldar, decided the largest number of cases.

Proportion of work performed by Unpaid Magtes.

The proportion of work performed by Unpaid Magistrates is extremely small in this Division.

Khwaja Mahomed Khan is the only Honorary Civil Judge; he decided 126 suits in the Kohat district.

PART II.—APPEALS TO DEPUTY COMMISSIONERS.

Disposal of appeals.

There were altogether 396 appeals for disposal, *i. e.*, 356 instituted, plus 40 remaining on the previous year's file, being a decrease of 13[illegible] cases as compared with 1867.

The following table will show the number preferred in each district, and how they were disposed of:—

District.	No of appeals for disposal.	Withdrawn, struck off or transferred.	Decided on trial.	Remanded for further re-investigation.	Total disposed of.
Peshawur, ...	280	15	143	106	264
Huzara, ...	81	1	61	18	80
Kohat, ...	26	3	19	4	26
Total, ...	396	19	223	128	370

Of the number decided on trial, 27 per cent was in favor of appellant in Peshawur district, 42 per cent in Huzara, and 26 per cent in Kohat district; the per-centage in favor of respondent being 65 for the whole Division.

The average duration of each appeal was for Peshawur district 80, for Huzara 43, and for Kohat 46.

Average duration of appeals.

This shows a decided improvement for the district of Peshawur as compared with previous year, the average of which has been reduced from 164 to 80 days. It is otherwise in the other two districts. Captain Cavagnari explains that the average for his district has been ruined, owing to one appeal case which remained pending for several months, until he was enabled to visit the locality.

Only 26 cases remained pending at close of the year, all of the Peshawur district, with the exception of one in Huzara. The date of oldest case pending was the 2nd November 1868.

The aggregate and average value of appeals.

In the Peshawur district, the aggregate value of appeals was Rs. 12,196, the average cost of each being Rs. 46, and the aggregate cost Rs. 1,647.

In the Huzara district, the aggregate value was Rs. 3,106, the average value Rs. 40, and the aggregate cost Rs. 462.

The aggregate value of suits in Kohat district was Rs. 647, the average value being Rs. 25-4-10.

The subjoined abstract statement will show the result in a Divisional point of view:—

District.	Aggregate value of appeals.	Aggregate cost of appeals.	Average value of suits.			Per-centage of costs to value.
Peshawur, ...	Rs. 12,196	1,647	46	0	0	13 50
Huzara, ...	3,106	462	40	0	0	14 87
Kohat, ...	647	83	25	4	10	12 83
Total Rs., ...	15,049	2,192	40	5	0	13-11-10

APPEALS TO COMMISSIONER.

No. of appeals and how disposed of.

The number of appeals preferred in my own Court during the year was 219, and 60 were remaining on the file at close of 1867, making in all a total number for disposal of 279, to 405 in previous year. Of these, 181 or 65 per cent were disposed of as follows :—

One appeal was struck off without trial, 2·87 per cent was decided in whole in favor of appellant, and 1·79 per cent in part, 47·67 was in favor of respondent, and 34 cases or about 12 per cent were remanded for further investigation, leaving 98 appeals pending at close of the year.

Average duration of each appeal preferred to Commr.

The average duration of each case was 137 days, and the date of oldest case pending was 26th March 1868. This has been disposed of since close of year.

Aggregate value.

The aggregate value of appeals was Rs. 1,11,435, *viz.* :—

Civil suits, ...	Rs.	76,669	0	0
Regular Revenue, ...	„	34,226	0	0
Summary suits, ...	„	520	0	0
Total, ..		1,11,435	0	0

Average value.

And the average value was—

For Civil suits, ...	Rs.	1,008	12	9
„ Regular Revenue, ...	„	360	7	9
„ Summary, ...	„	52	0	0

PART III—MISCELLANEOUS.

No. of applications for execution of decrees.

The following abstract will show the number of applications for execution of decrees pending from previous year, and those instituted during the year 1868 :

District.	No. pending from 1867	Amount.			Instituted during 1868.	Amount.		
Peshawur, ...	120	7,601	0	0	2,788	1,61,936	0	0
Huzara, ...	46	2,507	0	0	451	9 697	0	0
Kohat, ...	5	119	0	0	178	8,257	0	0
Total, ...	171	10,257	0	0	3,417	1,79,890	0	0

Applications how disposed of.

In the Peshawur district, 2,773 applications were disposed of, out of which 1,476 were completely executed, and 917 partially executed. No hereditary or other joint acquired property was sold, but 4 sales of house property were effected.

Sale of personal or real property.

In Huzara, two dwelling houses were sold in execution of decree, a sale of land was postponed under Section 244 Act VIII of 1859.

In the Kohat district, real property was sold in two cases.

No effect was given to the provisions of Sections 243 and 244 Act VIII of 1859, in the Peshawur district.

The value of tulubana stamps filed during the year was Rs. 14,137-8-0, for the entire Division, and the expenditure amounted to Rs. 6,486-3-4, leaving an available surplus of Rs. 7,651-4-8.

The Deputy Commissioner Peshawur states that an addition to the establishment of Naib Nazirs and Peons is very necessary, and that a proposal to that effect will be made. The balance from tulubana in his district, amounted to Rs. 6,190, being more than double the sum available for the previous year, a portion of which could be devoted to an increase in the sheriff's establishment.

The Deputy Commissioner of Kohat notes that the rules circulated with Chief Court's Circular XXVII of 1867 are adhered to, and care is taken that the expenditure does not exceed three-fourths of the income.

The income of Postage Fund was—

In Peshawur district, ...	Rs.	47	8	0
„ Huzara, ...	„	23	0	0
„ Kohat, ...	„	15	0	0
Total, ..	„	85	8	0
And the expenditure, ...	„	66	0	3
leaving a balance of Rupees,		19	7	9

System of Record.

The prescribed system of record is generally in force in this Division. In the Peshawur district, Captain Waterfield states that the Tehseeldars and Native Judicial officers are apt to omit the drawing of issues, and that such irregularities are never passed over. The Honorary Civil Judge of Khuttuk in the Kohat district can neither read nor write, as previously remarked in former annual reports.

The following are the officers specially named by Captain Waterfield for the manner in which they record their decisions, &c.

He states that Mr. Gardiner's records are very complete, and the investigations are always carefully made.

The decisions of Mr. Roberts are also satisfactory, showing a great deal of pains taken, and an intelligent appreciation of the points at issue.

In the Huzara district, Lieutts. Lang and Wood are mentioned by Captain Ommanney; their cases are neatly prepared, and their decisions are good.

Working of the Stamp Law.

The introduction of the Stamp Law has tended to lessen litigation in trivial matters and owing to the enhanced rate of stamp duty, the revenue from this source is on the increase. Captain Waterfield states that suits for land have also diminished, and that, as reported on a former occasion, the valuation of many kinds of suits is not at all understood by the Courts.

There are no Pleaders or Mooktears in this Division, and the more wealthy merchants and traders are, as justly remarked by Deputy Commissioner Peshawur, much inconvenienced in consequence.

Regarding the working of the system contemplated by Book Circular 18 of 1866, I may mention that in general officers exercising full powers in this Division are almost exclusively employed in conducting the Criminal and Revenue duties, the Civil work being chiefly distributed among the officers exercising inferior powers. Captain Waterfield remarks that Civil and Criminal work are only combined when unavoidable, and that the system is conducive to method, regularity and despatch.

APPENDIX NO. I.

ENTIRE CIVIL BUSINESS

DURING 1867 AND 1868.

APPENDIX

GENERAL COMPARATIVE STATEMENT OF THE ENTIRE CIVIL BUSINESS

1	2	3		4	5	6	7	8	9	10	11	12	13	14	15
				Number of Cases on the File.				Cases withdrawn, transferred or struck off without Trial or Decree.					Cases		
													Without Contest		
No.	Division.	Districts.		Pending at the end of last year.	Instituted during the year.	Received by transfer	Total for disposal.	Adjusted and withdrawn.	Non-suited.	Dismissed on default.	Transferred.	Total.	Ex parte.	By confession.	By compromise and consent.
1	Delhi.	Delhi, ...	1867,	201	4,935	21	5,157	500	17	313	21	851	286	1,151	609
			1868,	266	5,083	...	5,349	764	...	376	1	1,161	379	1,492	618
2		Goorgaon, ...	1867,	84	1,710	...	1,794	208	...	188	...	396	58	442	203
			1868,	54	1,691	...	1,745	29	...	203	...	232	53	521	334
3		Kurnaul, ...	1867,	66	1,932	...	1,998	432	...	159	...	591	138	497	45
			1868,	52	2,050	...	2,102	524	...	202	...	726	135	620	...
		Total, ...	1867,	351	8,577	21	8,949	1,140	17	660	21	1,838	482	2,090	857
			1868,	372	8,824	...	9,196	1,337	...	781	1	2,119	567	2,633	952
		Difference, ...		+21	+247	−21	+247	+197	−17	+121	−20	+281	+85	+543	+95
4	Hissar.	Hissar, ...	1867,	11	1,533	...	1,544	338	...	124	...	462	85	428	35
			1868,	31	1,742	...	1,773	428	...	162	...	590	129	536	24
5		Rohtuck, ...	1867,	13	1,485	...	1,498	277	27	71	...	375	86	316	126
			1868,	13	1,496	1	1,510	306	...	65	1	372	103	311	132
6		Sirsa, ...	1867,	39	904	1	944	166	...	105	2	273	65	224	7
			1868,	20	892	1	913	140	...	119	...	259	68	222	...
		Total, ...	1867,	63	3,922	1	3,986	781	27	300	2	1,110	236	968	168
			1868,	64	4,130	2	4,196	874	...	346	1	1,221	300	1,069	156
		Difference, ...		+1	+208	+1	+210	+93	−27	+46	−1	+111	+64	+101	−12
7	Umballa.	Umballa, ...	1867,	246	7,472	...	7,718	988	119	968	5	2,080	487	1,303	355
			1868,	212	7,177	2	7,391	712	...	925	8	1,645	440	1,461	575
8		Loodiana, ...	1867,	109	6,090	3	6,202	185	21	549	...	755	154	1,825	1,111
			1868,	146	6,096	...	6,242	167	...	572	1	740	191	1,591	1,258
9		Simla, ...	1867,	26	1,838	...	1,864	17	54	197	3	271	168	207	230
			1868,	50	1,852	...	1,902	23	...	178	4	205	318	436	219
		Total, ...	1867,	381	15,400	3	15,784	1,190	194	1,714	8	3,106	809	3,235	1,696
			1868,	408	15,125	2	15,535	902	...	1,675	13	2,590	949	3,488	2,052
		Difference, ...		+27	−275	−1	−249	−288	−194	−39	+5	−516	+140	+153	+356
10	Jullundur.	Jullundur, ...	1867,	594	10,191	...	10,785	1,328	3	1,630	2	2,963	376	2,507	347
			1868,	453	11,613	...	12,066	1,562	...	1,718	6	3,286	403	2,896	313
11		Hooshyarpore, ...	1867,	465	10,853	6	11,324	1,961	81	796	4	2,842	216	2,460	568
			1868,	437	15,747	4	16,188	1,928	...	1,206	34	3,168	320	3,029	1,040
12		Kangra, ...	1867,	181	3,476	58	3,715	361	29	334	17	741	114	712	220
			1868,	111	4,407	3	4,521	459	...	390	7	856	139	1,031	221
		Total, ...	1867,	1,240	24,520	64	25,824	3,650	113	2,760	23	6,546	706	5,679	1,135
			1868,	1,001	31,767	7	32,775	3,949	...	3,314	47	7,310	862	6,956	1,574
		Difference, ...		−239	+7,247	−57	+6,951	+299	−113	+554	+24	+764	+156	+1,277	+439
13	Umritsur.	Umritsur, ...	1867,	558	11,209	231	11,998	275	68	2,376	106	2,825	594	2,065	1,147
			1868,	701	14,326	2	15,029	300	...	2,325	4	2,629	826	2,696	1,612
14		Sealkote, ...	1867,	227	8,571	15	8,813	794	17	1,067	2	1,880	483	2,505	497
			1868,	229	9,356	2	9,587	1,338	...	1,412	1	2,751	601	3,093	110
15		Goordaspore, ...	1867,	474	5,101	1	5,576	203	3	876	2	1,084	179	726	721
			1868,	103	4,338	6	4,447	82	...	990	5	1,077	101	745	480
		Total, ...	1867,	1,259	24,881	247	26,387	1,272	88	4,319	110	5,789	1,256	5,296	2,365
			1868,	1,033	28,020	10	29,063	1,720	...	4,727	10	6,457	1,528	6,534	2,202
		Difference, ..		−226	+3,139	−237	+2,676	+448	−88	+408	−100	+668	+272	+1,238	−163

NO. I.

OF THE DISTRICTS OF THE PUNJAB DURING 1867 AND 1868.

16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34
In which Decree passed.																		
In Court.			Contested Cases Tried and Decided in Court.								Average duration of							
By Arbitration.		Total.	In favor of Plaintiffs.		In favor of defendants, objectors or insolvents.	Total.	Grand Total Disposed of.	Number of cases pending.	Date of oldest case pending.	General average duration.	Cases struck off in default &c., Column 12.	Cases uncontested in Crt., Col. 18	Cases contested in Crt., Col. 22.	Number of summonses to parties to appear in person.	Number of parties who appeared.	Number of summonses to witnesses to appear.	Number of witnesses who appeared.	Average No. of hearings in each case.
In favor of Plaintiffs.	In favor of Defendants.		In whole.	In part.														
111	54	2,211	866	495	468	1,829	4,891	266	8th Jany. '66,	17	13	14	24	7,615	6,795	5,570	[illegible]	4
73	14	2,576	646	288	437	1,371	5,108	241	3rd Jany. '67,	20	12	15	33	5,611	5,323	3,168	3,247	3
50	17	770	340	102	123	574	1,740	54	16th Augt. '67,	16	13	14	20	3,921	3,279	3,076	2,671	9
54	10	972	318	59	131	508	1,712	33	5th Novr. '68,	16	16	12	21	3,688	3,076	2,532	2,244	3
57	15	752	273	107	223	603	1,946	52	7th Novr. '67,	17	15	15	24	3,600	3,624	3,009	2,996	3
60	11	826	220	95	166	481	2,033	69	13th Augt. '68,	18	14	15	26	3,259	4,284	2,795	2,859	3
218	86	3,733	1,488	704	814	3,006	8,577	372	...	18	14	14	23	15,136	13,698	11,660	11,749	...
187	35	4,374	1,184	442	734	2,360	8,853	343	...	18	14	15	29	12,558	12,683	8,543	8,350	...
—31	—51	+641	+304	—262	—80	—646	+276	—29	...	...	...	+1	+6	—2,578	—1,016	—3,115	—3,399	...
64	14	626	195	70	160	425	1,513	31	12th Octr. '67,	16	14	14	22	5,166	4,014	1,031	2,196	2
75	22	786	184	71	118	373	1,749	24	4th Novr. '68,	15	14	13	19	2,772	3,183	834	2,311	3
41	9	578	249	106	177	532	1,485	13	26th Augt. '67,	14	12	11	17	1	3,925	861	1,977	3
50	8	604	255	102	175	532	1,508	2	10th Octr. '68,	15	14	11	21	...	4,085	665	2,670	3
34	6	336	117	74	124	315	924	20	18th Novr. '67,	15	14	13	18	1,779	1,914	386	858	3
46	2	338	117	90	104	311	908	5	26th Octr. '68,	20	19	19	23	1,477	1,860	981	790	3
139	29	1,540	561	250	461	1,272	3,922	64	...	15	13	13	20	6,946	9,833	2,298	5,031	...
171	32	1,728	556	263	397	1,216	4,165	31	...	16	15	14	21	4,249	9,728	2,480	5,771	...
+32	+3	+188	—5	+13	—64	—56	+243	—33	...	+1	+2	+1	+1	—2,697	—105	+182	+740	...
365	125	2,635	1,099	642	1,050	2,791	7,506	212	20th Augt. '67,	16	13	15	20	22,417	18,369	16,747	15,379	3
245	44	2,765	1,070	765	928	2,763	7,173	218	18th June '68,	16	14	13	21	15,877	14,724	8,547	9,731	6
139	46	3,275	859	391	776	2,026	6,056	146	31st Octr. '67,	11	12	9	23	13,716	13,523	5,210	7,677	2
128	41	3,209	880	436	675	1,991	5,940	302	7th Novr. '68,	14	16	12	18	9,291	10,019	4,430	6,449	3
86	26	719	489	237	98	824	1,814	50	1st Augt. '67,	14	19	14	12	2,861	1,591	327	323	2
52	13	1,038	310	159	146	615	1,858	44	9th Sept, '68,	17	33	10	23	3,341	2,521	952	1,093	3
590	199	6,629	2,447	1,270	1,924	5,641	15,376	408	...	14	14	12	16	38,904	33,983	22,384	23,379	...
425	98	7,012	2,260	1,360	1,749	5,369	14,971	564	...	16	16	12	20	28,509	27,264	13,929	17,273	...
—165	—101	+383	—187	+90	—175	—272	—405	+156	...	+2	+2	...	+4	—10,485	—6,719	—8,455	—6,104	...
618	209	4,057	1,076	683	1,553	3,312	10,332	453	7th May '67,	20	19	17	23	18,397	15,103	12,626	10,917	3
437	123	4,172	892	682	1,073	2,647	10,105	1,961	23rd July '68,	16	15	14	22	11,812	14,876	11,473	11,433	2
385	154	3,783	1,678	1,131	1,453	4,262	10,887	437	10th June '67,	15	13	13	17	19,267	20,466	14,143	13,761	1
294	119	4,802	2,033	1,336	1,784	5,153	13,123	3,065	27th July '68,	15	19	13	19	22,039	25,376	17,028	16,399	3
229	36	1,311	546	620	386	1,552	3,604	111	26th Augt. '67,	18	19	16	19	5,772	6,001	5,263	5,426	3
159	39	1,589	562	610	498	1,670	4,115	406	8th Augt. '68,	18	19	16	19	6,248	6,648	4,104	4,358	4
1,232	399	9,151	3,300	2,434	3,392	9,126	24,823	1,001	...	18	12	15	19	43,436	41,570	32,032	30,104	...
890	281	10,563	3,487	2,628	3,355	9,470	27,343	5,432	...	16	16	14	20	40,099	46,899	32,605	32,190	...
—332	—118	+1,412	+187	+194	—37	+344	+2,520	+4431	...	—2	+4	—1	+1	—3,337	+4,329	+573	+2,086	...
375	114	4,295	1,385	1,274	1,518	4,177	11,297	701	1st May '67,	18	20	15	21	22,098	17,428	20,673	16,816	1
342	65	5,541	1,676	1,486	1,537	4,699	12,869	2,160	19th June '68,	24	22	19	24	21,555	14,925	13,368	12,992	3
361	37	3,883	1,195	934	706	2,835	8,598	229	1st Augt. '67,	15	14	14	17	14,913	11,792	16,037	13,478	3
334	31	4,169	1,056	649	538	2,243	9,163	424	28th May '68,	17	16	16	20	18,081	14,790	9,200	7,769	3
97	14	1,737	913	850	889	2,652	5,473	103	2nd Octr. '67,	29	26	24	35	12,718	11,876	7,460	7,719	3
74	10	1,410	610	430	458	1,498	3,985	462	18th July '68,	25	21	21	32	8,695	7,625	3,426	4,469	3
833	165	9,915	3,493	3,058	3,113	9,664	25,868	1,033	...	20	17	16	24	49,729	47,096	44,170	38,013	...
750	106	11,120	3,342	2,565	2,533	8,440	26,017	3,046	...	15	19	18	24	48,331	37,340	25,989	25,230	...
—83	—59	+1,205	—151	—493	—580	—1,224	+649	+2013	...	—5	+2	+2	...	—1,398	—9,756	—18,181	—12,783	...

1	2	3		4	5	6	7	8	9	10	11	12	13	14	15
				Number of Cases on the File.				Cases withdrawn, transferred or struck off without Trial or Decree.					Cases Without Contest		
No.	Division.	Districts.		Pending at the end of last year.	Instituted during the year.	Received by transfer.	Total for disposal.	Adjusted and withdrawn.	Non-suited.	Dismissed on default.	Transferred.	Total.	Ex parte.	By confession.	By compromise and consent.
16	Lahore	Lahore,	1867,	355	9,053	...	9,408	92	48	1,466	9	1,615	617	1,981	1,471
			1868,	440	11,027	1	11,468	68	...	1,196	4	1,268	896	2,202	2,186
17		Ferozepore,	1867,	237	6,861	2	7,100	621	8	1,146	36	1,811	210	1,631	389
			1868,	276	6,302	...	6,578	336	...	982	38	1,356	450	1,425	614
18		Goojranwalla,	1867,	91	3,756	2	3,849	123	14	567	1	705	180	1,004	461
			1868,	96	4,531	...	4,627	20	...	793	6	819	184	964	652
		Total,	1867,	683	19,670	4	20,357	836	70	3,179	46	4,131	1,007	4,616	2,321
			1868,	812	21,860	1	22,673	424	...	2,971	48	3,443	1,530	4,591	3,452
		Difference,		+129	+2,190	−3	+2,316	+88	−70	−208	+2	+688	+523	−25	+1,131
19	Rawul Pindee	Rawul Pindee,	1867,	64	6,083	4	6,151	632	36	986	1	1,655	452	1,390	174
			1868,	73	7,241	5	7,319	957	...	1,004	4	1,965	580	1,599	182
20		Jhelum,	1867,	91	3,139	1	3,231	224	17	473	3	717	80	290	339
			1868,	78	2,615	2	2,695	270	...	406	2	678	110	326	203
21		Goojrat,	1867,	49	3,029	...	3,078	290	9	425	...	724	100	724	112
			1868,	46	3,856	21	3,923	289	...	442	...	731	114	1,145	160
22		Shahpore,	1867,	108	3,157	...	3,265	83	4	499	...	586	135	667	713
			1868,	95	3,869	2	3,966	77	...	820	...	897	169	744	804
		Total,	1867,	312	15,408	5	15,725	1,229	66	2,383	4	3,682	767	3,071	1,338
			1868,	292	17,581	30	17,903	1,593	...	2,672	6	4,271	973	3,814	1,349
		Difference,		−20	+2,173	+25	+2,178	+364	−66	+289	+2	+589	+206	+743	+11
23	Mooltan	Mooltan,	1867,	82	2,621	...	2,703	70	20	336	...	426	140	592	347
			1868,	81	3,010	...	3,091	251	...	497	3	751	163	752	302
24		Jhung,	1867,	60	3,419	1	3,480	367	7	644	1	1,019	161	1,026	304
			1868,	101	3,430	...	3,531	432	...	669	...	1,101	190	766	478
25		Montgomery,	1867,	10	2,055	4	2,069	178	3	367	1	549	211	453	146
			1868,	18	2,699	...	2,717	162	...	446	...	608	267	909	331
26		Mozuffurgurh,	1867,	127	3,423	...	3,550	308	7	622	...	937	63	1,223	323
			1868,	55	3,668	5	3,728	266	...	671	...	937	100	1,547	286
		Total,	1867,	279	11,518	5	11,802	923	37	1,969	2	2,931	575	3,294	1,120
			1868,	255	12,807	5	13,067	1,111	...	2,283	3	3,397	720	3,974	1,397
		Difference,		−24	+1,289	...	+1,265	+188	−37	+314	+1	+466	+145	+680	+277
27	Derajat	Bunnoo,	1867,	264	4,241	...	4,505	132	16	204	...	352	44	365	751
			1868,	105	3,458	...	3,563	203	...	280	...	483	58	325	455
28		D. I. Khan,	1867,	160	4,393	1	4,554	619	33	403	2	1,057	226	968	533
			1868,	113	4,022	...	4,135	543	...	422	...	965	160	1,015	557
29		D. G. Khan,	1867,	171	3,947	...	4,118	56	182	459	1	698	43	1,055	766
			1868,	159	3,710	...	3,869	92	...	414	...	506	61	926	785
		Total,	1867,	595	12,581	1	13,177	807	231	1,066	3	2,107	313	2,388	2,050
			1868,	377	11,190	...	11,567	838	...	1,116	...	1,954	279	2,266	1,797
		Difference,		−218	−1,391	−1	−1,610	+31	−231	+50	−3	−153	−34	−122	−253
30	Peshawur	Peshawur,	1867,	372	6,313	1	6,706	312	128	412	...	852	393	1,376	697
			1868,	359	6,489	...	6,848	249	...	717	1	967	387	1,359	986
31		Huzara,	1867,	88	1,180	...	1,278	107	6	221	1	335	35	277	103
			1868,	50	902	...	952	52	...	133	...	185	30	148	104
32		Kohat,	1867,	60	658	...	718	73	20	51	...	144	18	139	47
			1868,	5	855	...	860	42	...	68	1	111	11	237	132
		Total,	1867,	540	8,151	1	8,702	492	154	684	1	1,331	446	1,792	847
			1868,	414	8,246	...	8,660	343	...	918	2	1,263	428	1,744	1,282
		Difference,		−126	+95	−1	−42	−149	−154	+234	+1	−68	−18	−48	+435
		Grand Total,	1867,	5,703	1,44,628	352	1,50,683	12,320	997	19,034	220	32,571	6,597	32,529	13,897
			1868,	5,028	1,59,550	57	1,64,635	13,091	...	20,803	131	34,025	8,136	37,069	16,213
		Difference,		−675	+14,922	−295	+13,952	+771	−997	+1,769	−89	+1,454	+1,539	+4,540	+2,316

No. I.—*(Concluded.)*

16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34
In which Decree passed.																		
In Court.			Contested Cases Tried and Decided in Court.															
By Arbitration.			In favor of Plaintiffs.								Average duration of							
In favor of Plaintiffs.	In favor of Defendants.	Total.	In whole.	In part.	In favor of defendants, objectors or insolvents.	Total.	Grand Total Disposed of.	Number of cases pending.	Date of oldest case pending.	General average duration.	Cases struck off in default &c., Column 12.	Cases uncontested in Crt., Col. 18.	Cases contested in Crt., Col. 22.	Number of summonses to parties to appear in person.	Number of parties who appeared.	Number of summonses to witnesses to appear.	Number of witnesses who appeared.	Average No. of hearings in each case.
291	61	4,421	1,096	980	856	2,932	8,968	440	29th May '67,	16	21	11	12	13,109	12,330	8,475	6,806	2
298	64	5,646	1,459	958	1,022	3,439	10,353	1,115	8th April '68,	14	18	13	15	17,024	15,124	17,503	8,876	3
357	106	2,693	720	733	867	2,320	6,824	276	18th Octr. '67,	20	22	18	24	13,080	13,404	7,027	6,494	2
328	112	2,929	812	556	634	2,002	6,287	291	12th Octr. '68,	17	23	11	14	11,064	12,421	4,096	6,157	3
116	36	1,797	374	530	347	1,251	3,753	96	2nd Novr. '67,	16	19	12	11	6,312	5,909	1,220	2,305	10
160	31	1,991	543	701	416	1,660	4,470	157	22nd Octr. '68,	15	20	13	16	6,972	6,010	1,743	1,537	3
764	203	8,911	2,190	2,243	2,070	6,503	19,545	812	...	16	21	14	16	32,501	31,652	17,722	15,105	...
786	207	10,566	2,814	2,215	2,072	7,101	21,100	1,563	...	16	20	12	17	35,060	33,555	23,342	16,570	...
+22	+4	+1,655	+624	−28	+2	+598	+1,565	+751	...	...	−1	−2	+1	+2,559	+1,903	+5,620	+1,465	...
195	22	2,233	868	538	784	2,190	6,078	73	13th Novr. '67,	13	14	11	14	7,761	6,832	2,784	2,760	3
232	19	2,612	893	680	996	2,569	7,146	173	23rd July '68,	14	15	12	17	9,470	8,063	2,581	2,270	3
91	18	818	562	384	672	1,618	3,153	78	29th July '67,	16	14	15	17	5,417	5,258	7,049	6,660	4
103	15	757	458	281	430	1,169	2,604	91	22nd June '68,	18	16	16	22	6,241	5,962	3,939	4,061	3
119	32	1,087	526	352	343	1,221	3,032	46	11th Novr. '67,	13	14	10	15	7,115	7,663	6,774	7,193	3
143	42	1,604	668	346	431	1,445	3,780	143	11th Octr. '68,	13	12	10	15	8,138	7,724	4,492	6,206	3
80	14	1,609	264	260	451	975	3,070	95	1st Novr. '67,	19	23	16	20	6,892	7,657	4,047	3,471	4
110	16	1,843	382	297	356	1,035	3,775	191	2nd Octr. '68,	21	22	20	23	7,887	6,232	3,408	3,522	3
485	86	5,747	2,220	1,534	2,250	6,004	15,433	292	...	15	15	13	16	27,185	21,410	20,654	20,084	...
588	92	6,816	2,401	1,604	2,213	6,218	17,305	598	...	16	16	14	18	31,736	29,981	14,420	16,059	...
+103	+6	+1,069	+181	+70	−37	+214	+1,872	+306	...	+1	+1	+1	+2	+4,551	+8,571	−6,234	−4,025	...
180	28	1,287	369	325	215	909	2,622	81	4th Novr. '67,	24	23	16	32	7,181	5,404	3,168	3,015	4
133	9	1,359	358	240	277	875	2,985	106	5th Augt. '68,	17	16	13	24	8,598	5,663	4,504	2,609	3
106	14	1,611	235	314	200	749	3,379	101	1st Novr. '67,	14	14	12	18	9,796	7,869	2,969	2,170	4
151	18	1,603	263	250	184	697	3,401	130	24th Octr. '68,	15	14	12	22	6,084	4,967	2,214	1,820	3
127	12	949	192	224	137	553	2,051	18	30th Augt. '67,	14	13	13	16	5,148	3,491	954	1,325	2
135	18	1,660	132	153	114	399	2,667	50	10th Octr. '68,	17	17	14	26	6,429	3,655	2,207	1,435	3
167	26	1,802	291	177	288	756	3,495	55	14th Novr. '67,	15	16	13	20	6,081	5,668	5,799	5,440	3
151	9	2,093	221	131	209	561	3,591	137	15th Augt. '68,	14	16	11	21	6,743	5,748	4,117	3,878	5
580	80	5,649	1,087	1,040	840	2,967	11,547	255	...	16	16	13	22	28,206	22,432	12,890	11,950	...
570	54	6,715	974	774	784	2,532	12,644	423	...	15	16	12	23	27,854	20,033	13,042	9,742	...
−10	−26	+1,066	−113	−266	−56	−435	+1,097	+168	...	−1	...	−1	+1	−352	−2,399	+152	−2,208	...
203	37	1,400	892	776	980	2,648	4,400	105	22nd Octr. '67,	14	17	13	16	7,035	7,024	9,991	9,991	4
113	30	981	715	549	665	1,929	3,393	170	15th July '68,	14	28	21	21	5,425	5,425	7,145	7,145	4
196	37	1,960	446	531	447	1,424	4,441	113	7th May '67,	22	28	17	23	6,536	5,150	3,988	3,328	3
165	17	1,914	432	346	331	1,109	3,988	147	24th Augt. '68,	21	24	14	24	5,899	4,946	4,043	3,301	4
218	47	2,129	328	517	287	1,132	3,959	159	2nd Feby. '67,	20	31	17	12	6,378	7,949	2,717	3,069	2
250	22	2,044	405	510	289	1,204	3,754	115	1st Feby. '68,	19	25	19	24	8,737	8,656	3,588	2,840	3
617	121	5,489	1,666	1,824	1,714	5,204	12,800	377	...	19	22	16	16	19,949	20,123	16,696	16,388	...
528	69	4,939	1,552	1,405	1,285	4,242	11,135	432	...	21	25	17	22	20,061	19,027	14,776	13,286	...
−89	−52	−550	−114	−819	−429	−962	−1,665	+55	...	+2	−27	+1	+6	+119	−1,096	−1,920	−3,102	...
237	72	2,775	1,342	750	628	2,720	6,347	359	22nd Augt. '67,	12	25	9	15	9,237	6,464	7,993	8,926	6
160	57	2,949	1,170	823	679	2,672	6,588	260	2nd Octr. '68,	12	18	7	14	8,673	12,233	8,781	8,402	4
44	4	463	197	122	109	428	1,226	52	24th July '67,	26	12	18	45	1,854	1,730	2,082	1,946	6
21	17	380	118	82	81	281	846	106	4th July '68,	29	36	30	38	1,114	1,033	1,116	102	6
36	6	246	135	78	110	323	713	5	27th Novr. '67,	29	34	26	25	996	995	809	804	1
35	1	416	103	72	148	323	850	10	31st Octr. '68,	19	28	14	21	1,113	1,115	421	386	1
317	82	3,484	1,674	950	847	3,471	8,286	414	...	22	15	23	16	12,087	9,189	10,884	11,676	...
216	75	3,745	1,391	977	908	3,276	8,284	376	...	14	21	9	17	10,900	14,381	10,318	8,890	...
−101	−7	+261	−283	+27	+61	−195	−2	−40	...	−8	+6	−14	+1	−1,187	+5,192	−566	−2,786	...
5,775	1,450	60,248	20,126	15,307	17,425	52,858	1,45,677	5,028	...	18	17	22	17	3,30,121	2,65,867	1,98,868	1,93,425	...
5,111	1,049	67,578	19,961	14,233	16,030	50,224	1,51,827	12,808	...	17	17	14	21	2,39,357	2,50,891	1,59,446	1,53,361	...
−664	−401	+7,330	−165	−1,074	−1,395	−2,634	+6,150	+7,780	...	−1	...	−8	+4	−90,764	−14,976	−39,422	−40,064	...

APPENDIX NO. II.

STATEMENT OF ALL CASES PENDING INSTITUTED, DECIDED AND REMAINING FOR TRIAL IN THE DISTRICT SMALL CAUSE COURTS OF THE PUNJAB DURING THE YEAR 1868.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31				32	
	Cases for disposal.			Cases withdrawn and struck off without trial.			Cases in which decree passed.													Average duration of each case.															
							Without contest in Court.						Contested cases tried and decided in Court.																						
										By arbitration.			In favor of plaintiffs.																						
COURT.	Pending from last year.	Instituted during the year.	Total.	Adjusted and withdrawn under Sec. 97, 98 Act VIII 1859.	Dismissed on default.	Total.	Ex parte.	By confession.	By compromise and consent.	In favor of plaintiff.	In favor of defendant.	Total.	In whole.	In part.	In favor of defendants, objectors and insolvents.	Total.	Grand Total.	Cases under 2 months pending at close of year.	Date of oldest case pending.	Struck off without trial, &c., (column 7.)	Uncontested in Court, (column 13.)	Contested in Court, (column 17.)	General average, (column 18.)	Number of summonses to parties to appear in person.	Number of parties who appeared.	Number of summonses to witnesses, other than parties.	Number of witnesses who appeared.	Number of miscellaneous cases disposed of.	Number of re-trials during the year.	Average cost of each case. Rs.	Annas.	Pies.	Rs.	Percentage of costs to value. Annas.	Pies.
Delhi, ...	43	3,181	3,224	657	161	818	168	1,060	356	31	8	1,623	295	180	245	720	3,161	63	30th Nov. 1868.	5	5	7	4	4,603	3,059	1,967	1,043	28	28	4	6	5	13	9	...
Loodiana,...	84	2,747	2,831	42	181	223	77	661	757	70	21	1,586	361	222	243	826	2,635	196	7th Nov. 1868.	18	13	17	14	3,546	3,183	2,253	1,567	...	91	5	1	1	15	...	9
Simla, ...	12	1,118	1,130	...	79	79	266	293	66	26	5	656	203	92	98	393	1,128	2	4th Nov. 1868.	28	7	24	14	2,285	1,508	438	420	846	16	4	6	...	13	3	...
Jullundur,	62	3,954	4,016	430	777	1,207	87	726	154	105	72	1,144	173	198	458	829	3,180	836	20th Nov. 1868.	7	7	8	6	1	1	3,532	2,760	1,578	291	6	2	10	16	5	...
Hoshiarpore,	43	3,972	4,015	717	189	906	115	664	261	85	37	1,162	696	462	611	1,769	3,837	178	5th Decr. 1868.	7	7	7	7	4,710	8,229	4,881	3,966	1,938	132	5	12	8	17	7	10
Umritsur,...	126	4,539	4,665	56	707	763	297	1,062	763	111	15	2,248	423	503	493	1,419	4,430	235	8th Decr, 1868.	12	11	10	13	4,573	3,886	1,265	2,619	...	69	8	...	9	12	12	11
Lahore, ...	251	4,803	5,054	11	298	309	492	852	1,305	22	5	2,676	498	427	442	1,367	4,352	702	15th Decr. 1868.	13	14	12	12	4,352	3,577	9,520	1,426	46	81	4	4	3	15	...	6
Peshawar,	33	2,848	2,881	61	94	155	85	790	590	36	11	1,512	427	460	290	1,177	2,844	37	1st Decr. 1868.	10	3	9	6	3,087	5,618	1,701	1,484	...	42	4	13	9	12	14	1
Total, ...	654	27,162	27,816	1,974	2,486	4,460	1,587	6,108	4,252	486	174	12,607	3,076	2,544	2,880	8,500	25,567	2,249	...	8	9	9	9	27,157	29,061	25,557	15,285	3,436	750	5	...	8	14	5	7

APPENDIX NO. III.

STATEMENT OF ALL CASES INSTITUTED, DECIDED AND REMAINING FOR TRIAL IN THE CANTONMENT SMALL CAUSE COURTS OF THE PUNJAB FOR THE YEAR 1868.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32		33	
	For disposal.			Cases withdrawn, and struck off without trial or decree.			Cases in which Decree Passed.											Cases pending at close of the year.				Average duration of each case.												
							Without contest in Court.						Contested cases tried and decided in Court.																					
										By arbitration.			In favor of plaintiffs.																					
Court.	Pending from last year.	Instituted during the year.	Total.	Adjusted and withdrawn under Sections 97 and 98 of Act VIII of 1859.	Dismissed on default.	Total.	Ex-parte.	By confession.	By compromise and consent.	In favor of plaintiff.	In favor of defendant.	Total.	In whole.	In part.	In favor of defendants, objectors and insolvents.	Total.	Grand Total.	Above two months.	Two months and under.	Total.	Date of oldest case pending.	Struck off without trial or decree (column 7).	Uncontested in Court (col. 13).	Contested and decided in Court (column 17).	General average (column 18).	Number of summonses to parties to appear in person.	Number of parties who appeared.	Number of summonses to witnesses other than parties.	Number of witnesses who appeared.	Number of Miscellaneous cases.	Average cost of each case. Rs.	Annas.	Per-centage of costs to value. Rs.	Annas.	Pies.
Umballa, ...	12	1,366	1,378	157	212	369	170	277	54	54	19	574	109	166	176	421	1,364	1	4	5	10th Octr.	8	9	7	8	1,567	2,317	70	70	758	1	10	11	9	8	4
Jullundur, ...	5	652	657	98	33	131	83	216	11	36	6	352	42	68	61	171	654	...	3	3	9th Decr.	5	5	8	6	793	791	277	239	293	3	1	8	11	5	2
Sealkote, ...	16	926	942	117	63	180	91	391	5	1	5	493	114	116	39	269	942	...	...	...	"	7	4	6	6	1,948	977	466	274	461	1	1	6	9	3	11
Lahore, ...	4	1,253	1,257	...	56	56	88	381	64	66	18	577	414	128	82	624	1,257	...	...	...	"	8	3	3	3	1,253	2,356	135	125	708	1	5	3	8	6	6
Ferozepoor, ...	10	768	778	10	45	55	218	220	70	44	3	555	45	56	59	160	770	...	8	8	4th Decr.	7	4	6	5	805	773	765	609	435	1	2	6	10	5	10
Rawulpindee, ...	5	1,150	1,155	106	55	161	131	598	...	58	...	787	22	35	146	203	1,151	...	4	4	26th Novr.	13	6	8	7	1,156	869	47	47	429	1	11	4	9	5	4
Mooltan, ...	31	559	590	15	107	122	51	209	24	36	2	322	49	53	39	141	585	...	5	5	1st Decr.	6	5	8	6	1,196	1,027	488	244	429	2	6	11	9	13	3
Peshawur, ...	10	848	858	75	96	171	235	267	...	6	3	511	103	45	24	172	854	...	4	4	17th Decr.	6	4	7	6	901	1,433	157	237	497	2	1	6	9	12	9
Total, ...	93	7,522	7,615	578	667	1,245	1,067	2,519	228	301	56	4,171	898	637	626	2,161	7,577	1	28	29	...	8	5	5	5	9,619	10,543	2,405	1,845	4,010	1	11	2	9	10	1

NOTE.—The discrepancy between the No. for disposal and No. disposed of is caused by 9 cases having been transferred from the Umballa Court.

APPENDIX NO. IV.

STATEMENT OF SUITS SETTLED BY ARBITRATION IN ALL THE DISTRICTS OF THE PUNJAB DURING 1868.

1	2	3	4	5	6
DISTRICT.	Number of cases referred to arbitration.	Number of cases in which judgment was made according to award.	Number of cases in which awards were remitted for reconsideration under Section 323, Act VIII of 1859.	Number of cases in which awards were set aside for corruption or misconduct under Section 324, Act VIII of 1859.	Per-centage of cases disposed of by arbitration, to total disposed of.
Delhi, ...	87	84	...	3	1·70
Goorgaon, ...	64	54	...	10	3·73
Kurnal, ...	78	71	...	4	3·63
Hissar, ...	98	96	...	1	5·54
Rohtuck, ...	58	58	...	...	3·84
Sirsa, ...	48	48	...	...	5·28
Umballa, ...	303	289	...	...	4·02
Loodiana, ...	169	169	...	...	2·87
Simla, ...	65	65	...	...	3·49
Jullundhur. ...	583	560	...	4	5·58
Hoshyarpoor, ...	429	413	...	...	3·14
Kangra, ...	203	198	...	...	4·82
Amritsur, ...	430	410	...	2	3·20
Goordaspoor, ...	84	84	...	...	2·10
Sealkote, ...	385	365	...	1	3·99
Lahore, ...	362	362	...	...	3·49
Goojranwalla, ...	191	191	...	...	4·27
Ferozepoor, ...	453	440	...	...	6·99
Rawulpindee, ...	252	251	...	...	3·51
Jhelum, ...	118	116	...	2	4·53
Goojrat, ...	185	185	...	...	4·89
Shahpoor, ...	129	124	...	2	3·33
Bunnoo, ...	143	143	...	...	4·21
Dera Ismael Khan, ...	184	182	...	...	4·56
Dera Ghazee Khan, ...	272	272	...	...	7·24
Mooltan, ...	142	142	...	...	4·75
Jhung, ...	174	158	...	11	4·96
Montgomery, ...	155	153	...	...	5·73
Moozuffergurh, ...	170	160	...	..	4·45
Peshawur, ...	224	208	...	14	3·14
Huzara, ...	45	38	...	2	4·72
Kohat, ...	36	36	...	...	4·23
TOTAL, ...	6,228	6,020	...	56	4·02

APPENDIX NO. V.

STATEMENT SHOWING MISCELLANEOUS CASES PENDING, INSTITUTED, AND DISPOSED OF IN THE DISTRICTS OF THE PUNJAB DURING 1868.

Description of Cases.	For disposal.					Disposed of.				Pending at the close of 1868.	Pending beyond six months.
	Pending at the close of 1867.	*Instituted during 1868.*		Received by transfer.	Total.	Transferred to other Courts.	By an order on the merits.	Struck off on default.	Total.		
		Newly.	Re-instituted.								
I. Cases disposed of by Deputy Commissioners.											
1. Petitions of Appeal from orders passed under Sections 76, 85 and 95, Act VIII of 1859, ...	...	3	...	...	3	...	3	...	3	...	...
2. Petitions of Appeal from orders passed in Execution of Decree, ...	3	61	...	...	64	...	55	2	57	7	...
3. Petitions of Appeal from orders in Miscellaneous cases referred to Subordinate Courts, ...	...	47	...	...	47	...	41	6	47	...	...
4. Applications for Certificates for the collection of Debts on Succession under Act XXVII of 1860, ...	16	150	3	...	169	...	133	25	158	11	...
5. Cases under Act XL of 1858, and IX of 1861, relating to Minors, ...	...	8	...	...	8	...	8	...	8	...	...
6. Cases under Act XXXV of 1858, relating to care of estates of Lunatics, ...	1	...	...	...	1	...	1	...	1	...	...
7. Applications for registry and issue of Probates of Wills under Act X of 1865,	...	122	...	...	122	...	122	...	122	...	...
II. Disposed of by Deputy Commissioners and all other District Judicial Officers.											
8. Petitions for review of Judgment under Sections 376 to 380, Act VIII of 1859,	26	844	2	...	872	...	830	32	862	10	...
9. Petitions from Pauper Plaintiffs under Section 304, Act VIII of 1859, ...	22	743	3	...	768	3	613	124	740	28	...
10. Petitions from Insolvents under Sections 280 and 282, Act VIII of 1859, ...	7	58	...	...	65	...	56	4	60	5	...
11. Petitions for redemption or foreclosure of Mortgages, ...	...	12	...	...	12	...	11	1	12	...	...
12. Cases connected with the custody and disposal of Intestate Property, ...	106	31	...	...	137	...	61	...	61	76	2
13. Applications for Execution of Decrees under Section 212, Act VIII of 1859,	5,900	49,203	17,624	524	73,251	695	46,720	19,973	67,388	5,863	173
14. Petitions from parties praying for reversal of sales, or objecting to orders in execution of decrees, Sections 247, 256 and 269, Act VIII of 1859, ...	52	1,589	15	...	1,656	12	1,356	200	1,568	88	...
15. Cases of resistance to process whether in execution of decrees under Section 226, 227 and 228, Act VIII of 1859, or otherwise, ...	2	53	...	...	55	...	45	10	55	...	...
16. Applications for execution of awards of arbitrators under the latter portion of Section 327 of Act VIII of 1859, ...	...	55	...	1	56	...	55	...	55	1	...
17. Cases of false verification, false evidence, forgery, and fraud, Sections 16 to 20 of Act XXIII of 1861, ...	...	1	...	...	1	...	1	...	1	...	...
18. Cases of Contempt of Court, Section 21, Act XXIII of 1861, ...	...	88	...	...	88	...	87	1	88	...	...
19. References from other Courts, ...	163	6,793	6	2,251	9,213	2,262	6,781	34	9,077	136	...
20. All other miscellaneous petitions, motions or business whatsoever, not included in above, ...	161	8,389	18	...	8,568	...	8,231	226	8,457	111	14
Total, ...	6,459	68,250	17,671	2,776	95,156	2,972	65,210	20,638	88,820	6,336	189

APPENDIX NO. VI.

EXECUTION OF DECREES.

APPENDIX

DETAILED STATEMENT OF PROGRESS MADE

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
		NUMBER OF APPLICATIONS FOR EXECUTION.												
		Decrees passed during the year.		Pending from last year.		During the year.			Total.				Total for disposal.	
Division.	District.					Newly instituted.	Re-admitted.	Received by transfer.	Of decrees passed during the year.	Of decrees passed previously.	Total during the year.			
		Number.	Amount.	Number.	Amount.						Number.	Amount.	Number.	Amount.
DELHI.	Delhi, ...	3,426	5,76,384	262	2,24,479	1,899	832	73	1,419	1,385	2,804	4,79,287	3,066	7,03,766
	Goorgaon, ...	1,361	99,235	124	12,334	621	215	9	535	310	845	72,188	969	84,473
	Kurnal, ...	1,130	94,991	89	20,300	681	383	1	418	647	1,065	1,90,947	1,154	2,20,513
	Total, ...	5,917	7,70,610	475	2,57,113	3,201	1,430	83	2,372	2,342	4,714	7,42,372	5,189	10,08,752
HISSAR.	Hissar, ...	1,159	75,386	30	5,355	549	217	6	243	529	772	59,961	802	65,317
	Rohtuck, ...	953	50,041	47	5,499	565	329	21	244	671	915	55,493	962	60,992
	Sirsa, ...	579	44,872	29	4,902	295	122	18	125	310	435	45,344	464	50,247
	Total, ...	2,691	1,70,299	106	15,756	1,409	668	45	612	1,510	2,122	1,60,798	2,228	1,76,556
UMBALLA.	Umballa, ...	4,556	2,20,327	218	39,523	2,866	1,460	157	1,951	2,532	4,483	2,13,063	4,701	2,53,486
	Loodiana, ...	3,053	1,57,043	185	26,141	2,208	484	...	1,539	1,153	2,692	1,39,907	2,877	1,66,048
	Simla, ...	1,275	1,95,175	46	29,066	737	366	11	672	442	1,114	1,36,475	1,160	1,65,542
	Total, ...	8,884	5,73,445	449	94,730	5,811	2,310	168	4,162	4,127	8,289	4,90,345	8,738	5,85,076
JULLUNDUR.	Jullundur, ...	5,623	3,50,627	350	29,149	3,423	1,277	5	2,583	2,122	4,705	3,01,075	5,055	3,30,225
	Hoosheyarpoor, ...	7,012	3,25,690	374	17,644	3,770	975	38	2,178	2,605	4,783	2,11,953	5,097	2,29,597
	Kangra, ...	2,612	77,520	136	10,483	1,447	325	7	1,032	747	1,779	66,444	1,915	76,927
	Total, ...	15,247	7,54,037	860	57,276	8,640	2,577	50	5,793	5,474	11,267	5,79,472	12,067	6,36,749
UMRITSUR.	Umritsur, ...	6,172	5,08,346	798	58,880	4,108	1,526	2	2,713	2,923	5,636	5,20,464	6,434	5,79,345
	Goordaspoor, ...	1,960	1,06,639	382	20,277	1,454	359	52	765	1,080	1,845	91,812	2,227	1,12,090
	Sealkote, ...	6,011	2,13,218	428	35,040	3,208	781	16	2,149	1,856	4,005	1,97,006	4,433	2,32,046
	Total, ...	14,143	8,28,203	1,608	1,14,197	8,770	2,666	50	5,627	5,859	11,486	8,09,282	13,094	9,24,291
LAHORE.	Lahore, ...	5,813	5,58,318	499	55,633	3,613	2,710	...	3,328	2,995	6,323	4,08,734	6,822	4,54,368
	Goojranwalla, ...	2,552	96,157	171	6,348	1,353	549	53	652	1,303	1,955	1,00,855	2,126	1,07,203
	Ferozepoor, ...	3,569	1,34,696	515	23,555	1,660	1,679	11	1,021	2,329	3,350	1,47,667	3,865	1,71,222
	Total, ...	11,934	7,89,171	1,185	85,536	6,626	4,938	64	5,001	6,627	11,628	6,57,256	12,813	7,42,793
RAWUL-PINDEE.	Rawulpindee, ...	4,195	1,48,045	121	12,700	2,518	68	13	2,039	555	2,594	1,23,285	2,715	1,35,985
	Jhelum, ...	1,481	78,040	47	4,696	796	103	6	376	529	905	60,102	952	64,798
	Goojrat, ...	2,991	91,582	63	3,681	1,228	439	2	771	898	1,669	60,402	1,732	64,083
	Shahpoor, ...	2,878	93,809	153	16,972	881	414	...	565	730	1,295	75,648	1,448	92,620
	Total, ...	11,545	4,11,476	384	38,049	5,418	1,024	21	3,751	2,712	6,463	3,19,437	6,847	3,57,487
DERAJAT.	Bunnoo, ...	2,245	59,179	156	5,274	848	32	4	620	264	884	33,604	1,040	38,878
	Dera I. Khan, ...	2,508	92,457	229	36,632	1,158	163	...	766	555	1,321	64,241	1,550	1,00,873
	Dera G. Khan, ...	3,031	78,818	72	2,653	971	138	...	995	114	1,109	28,273	1,181	30,926
	Total, ...	7,782	2,30,454	457	44,559	2,977	333	4	2,381	933	3,314	1,26,118	3,771	1,70,677
MOOLTAN.	Mooltan, ...	1,780	1,43,317	61	13,521	1,061	86	2	778	371	1,149	1,09,461	1,230	1,22,982
	Jhung, ...	1,987	59,716	118	6,033	884	301	...	435	750	1,185	47,783	1,303	54,416
	Montgomery, ...	1,505	66,871	20	2,479	699	254	...	162	791	953	56,197	973	58,676
	Moozuffurgurh, ...	2,362	72,673	42	4,251	1,048	277	...	488	837	1,325	57,440	1,367	61,691
	Total, ...	7,634	3,42,577	261	26,884	3,692	918	2	1,863	2,749	4,612	2,70,881	4,873	2,97,765
PESHAWUR.	Peshawur, ...	3,868	1,80,147	120	7,601	2,171	616	1	1,540	1,248	2,788	1,61,936	2,908	1,69,537
	Huzara, ...	573	16,699	48	2,507	302	113	36	268	183	451	9,696	497	12,203
	Kohat, ...	591	20,348	5	149	157	21	...	119	59	178	8,256	183	8,405
	Total, ...	4,832	2,17,194	171	10,257	2,630	750	37	1,927	1,490	3,417	1,79,888	3,588	1,90,145
	GRAND TOTAL,	90,609	50,87,466	5,899	7,44,357	49,174	17,614	524	33,489	33,823	67,312	43,35,849	73,208	50,90,291

No. VI.

IN THE EXECUTION OF DECREES DURING 1868.

16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Number of decrees completely executed during the year.				Number of decrees partially executed and then struck off owing to default of decree-holder.						Grand Total disposed of.				
By payment voluntarily.	Ditto on arrest.	By attachment and sale of moveables or immoveables or both.	Total.	By payment voluntarily.	Ditto on arrest.	By attachment and sale of moveables or immoveables or both.	Total.	Number of applications struck off on default of decree-holder of which no part has been executed.	Transferred.	New institutions.	Other cases.	Decrees passed during the year.	Ditto passed previously.	Total.
564	228	212	1,004	410	265	221	896	704	224	1,737	1,091	1,443	1,385	2,828
382	4	110	496	114	...	43	157	235	5	615	278	612	281	893
3,415	3	67	485	178	3	57	238	353	7	690	393	384	699	1,083
4,361	235	389	1,985	702	268	321	1,291	1,292	236	3,042	1,762	2,439	2,365	4,804
87	161	104	352	8	70	63	141	244	43	545	235	207	573	780
265	2	190	457	86	3	107	196	293	9	576	379	239	716	955
130	1	67	198	50	3	58	111	135	9	298	155	115	338	453
482	164	361	1,007	144	76	228	448	672	61	1,419	769	561	1,627	2,188
1,178	157	415	1,750	579	54	216	849	1,640	172	2,834	1,577	1,786	2,625	4,411
881	228	260	1,369	374	95	308	777	570	...	2,195	521	1,425	1,291	2,716
156	68	53	277	105	56	24	185	588	8	660	398	600	458	1,058
2,215	453	728	3,396	1,058	205	548	1,811	2,798	180	5,689	2,496	3,811	4,374	8,185
1,143	69	506	1,718	854	76	475	1,405	1,605	70	3,535	1,263	2,416	2,382	4,798
1,981	155	442	2,578	441	102	500	1,043	1,131	27	3,576	1,193	1,809	2,960	4,769
619	121	149	889	254	47	133	434	303	1	1,389	328	900	817	1,717
3,743	345	1,097	5,185	1,549	225	1,108	2,882	3,129	88	8,500	2,784	5,125	6,159	11,284
753	365	1,440	2,538	414	170	524	1,108	1,819	...	3,755	1,710	2,089	3,376	5,465
20	337	275	1,132	1	183	106	290	457	7	1,245	641	741	1,145	1,886
1,164	170	707	2,041	526	77	366	969	1,038	...	3,136	912	1,954	2,094	4,048
1,917	1,372	2,422	5,711	941	430	996	2,367	3,314	7	8,136	3,263	4,784	6,615	11,399
867	181	707	1,755	696	458	854	2,008	2,560	...	3,500	2,823	2,508	3,815	6,323
512	195	240	947	211	107	132	450	518	56	1,038	933	542	1,429	1,971
612	248	186	1,046	633	296	162	1,091	1,246	35	1,530	1,888	695	2,723	3,418
1,991	624	4,133	3,748	1,540	861	1,148	3,549	4,324	91	6,068	5,644	3,745	7,967	11,712
893	223	203	1,319	220	127	56	403	858	10	2,403	187	2,013	577	2,590
402	111	128	641	41	21	44	106	144	1	734	158	378	514	892
385	295	222	902	137	102	163	402	302	7	1,203	410	490	1,123	1,613
508	...	215	723	108	...	57	165	416	...	876	428	520	784	1,304
2,188	629	768	3,585	506	250	320	1,076	1,720	18	5,216	1,183	3,401	2,998	6,399
741	2	22	765	40	...	12	52	32	...	667	182	570	279	849
368	373	104	845	48	89	47	184	388	...	1,146	271	699	718	1,417
123	518	35	676	17	285	10	312	169	...	982	175	971	186	1,157
1,232	893	161	2,286	105	374	69	548	589	...	2,795	628	2,240	1,183	3,423
173	292	43	508	82	134	58	274	352	...	1,005	129	695	439	1,134
334	278	121	733	34	64	51	149	344	...	950	276	394	832	1,226
230	104	107	441	85	30	42	148	340	...	601	337	140	798	938
145	366	10	521	41	97	31	169	582	...	1,000	272	457	815	1,272
882	1,040	281	2,203	242	325	183	740	1,627	...	3,556	1,014	1,686	2,884	4,570
405	618	453	1,476	180	519	218	917	379	1	1,893	880	1,273	1,500	2,773
74	61	32	167	96	62	16	174	94	6	257	184	200	241	441
84	2	5	91	47	3	3	53	26	7	152	25	113	64	177
563	676	495	1,734	323	584	237	1,144	499	14	2,302	1,089	1,586	1,805	3,391
19,574	6,431	7,835	30,840	7,110	3,598	5,158	15,856	19,064	695	46,723	20,632	29,378	37,977	67,355

Divisions.	District.	31	32	33	34	35	36	37	38	39	40	41	42	43
		Average time elapsing from date of application to date of final order.			Number pending, with explanation of cause of delay.									
		In complete execution.	In partial ditto.	In defaults and other cases.	Defendant summoned but not found, or list of property not given or other neglect of plaintiff.	Property under attachment and sale or sale under sanction.	Title to property, or objections to sale or sale under enquiry.	Execution suspended by Appellate Court.	Debtors in confinement.	Other cases.	Total Pending. Number.	Total Pending. Amount.	In which specific performance was enforced.	In which hereditary or joint acquired property in land has been sold.
DELHI.	Delhi, ...	41	59	21	45	58	17	...	14	104	268	1,09,971	12	...
	Goorgaon, ...	32	35	25	22	26	7	5	...	16	76	21,764	...	...
	Kurnal, ...	29	28	29	3	36	3	...	...	29	71	27,627	...	5
	Total, ...	...	...	...	70	120	27	5	14	149	385	1,59,362	12	5
HISSAR.	Hissar, ...	24	37	28	3	15	...	...	2	2	22	3,892	11	4
	Rohtuck, ...	...	...	...	...	5	...	...	...	2	7	341	18	...
	Sirsa, ...	36	20	19	2	7	...	...	1	1	11	3,387	...	...
	Total, ..	...	...	...	5	27	...	...	3	5	40	7,620	29	4
UMBALLA.	Umballa, ...	19	20	22	57	103	1	5	2	122	290	21,956	91	...
	Loodiana, ...	23	34	35	22	81	17	14	4	23	161	31,807	16	...
	Simla, ...	17	32	24	49	27	2	...	...	24	102	1,00,397	43	...
	Total, ...	...	...	...	128	211	20	19	6	169	553	1,54,160	150	...
JULLUNDUR.	Jullundur, ...	19	22	18	46	85	2	1	...	123	257	40,146	...	7
	Hoshyarpoor, ...	20	108	22	94	135	4	2	...	93	328	34,439	...	3
	Kangra, ...	19	26	23	71	37	9	4	2	75	198	11,077	...	...
	Total, ...	...	...	...	211	257	15	7	2	291	783	85,662	...	10
UMRITSUR.	Umritsur, ...	30	33	26	297	439	37	21	1	174	969	1,32,854	2	...
	Goordaspoor, ...	41	52	48	132	124	1	11	...	73	341	30,364	...	...
	Sealkote, ...	33	34	30	166	154	9	...	3	53	385	23,647	8	...
	Total, ...	...	...	...	595	717	47	32	4	300	1,695	1,86,865	10	...
LAHORE.	Lahore, ...	17	9	13	131	254	22	6	2	84	499	90,589	...	...
	Goojranwalla, ...	22	28	26	59	81	3	1	1	10	155	10,900	1,646	...
	Ferozepoor, ...	23	18	15	144	167	19	5	2	110	447	18,923	...	1
	Total, ...	...	...	...	334	502	44	12	5	204	1,101	1,29,412	1,646	1
RAWULPINDEE.	Rawulpindee, ...	23	24	27	40	41	1	1	2	40	125	15,180	...	...
	Jhelum, ...	33	20	42	25	17	2	...	...	16	60	9,007	...	...
	Goojrat, ...	17	22	23	36	64	5	...	14	...	119	4,766	...	...
	Shahpoor, ...	21	42	28	75	39	10	...	1	19	144	15,149	...	1
	Total, ...	...	...	..	176	161	18	1	17	75	448	44,052	...	1
DERAJAT.	Bunnoo, ...	37	38	44	76	17	7	5	...	86	191	8,860	16	...
	Dera I. Khan, ...	37	75	38	52	43	5	23	1	9	133	11,103	...	...
	Dera G. Khan, ...	24	25	21	16	8	...	...	...	...	24	1,684	59	...
	Total, ...	...	...	...	144	68	12	28	1	95	348	21,647	75	...
MOOLTAN.	Mooltan, ...	23	19	37	5	20	12	...	6	53	96	33,350	...	...
	Jhung, ...	20	27	26	14	22	2	1	2	36	77	7,278	...	1
	Montgomery, ...	19	27	22	11	11	1	...	1	11	35	3,010	...	...
	Moozuffurgurh, ...	20	17	20	68	11	...	...	...	16	95	10,793	...	2
	Total, ...	..	...	...	98	64	15	1	9	116	303	54,431	...	3
PESHAWUR.	Peshawur, ...	13	11	14	60	35	3	2	15	14	135	13,744	5	...
	Huzara, ...	35	31	25	9	5	...	...	...	42	56	2,467	...	1
	Kohat, ...	11	14	24	...	...	...	...	...	6	6	172	165	...
	Total, ...	...	...	...	75	40	3	2	15	62	197	16,383	170	1
	GRAND TOTAL,	...	...	...	1,836	2,167	201	107	76	1,466	5,853	8,59,594	2,092	25

VI.—(*Concluded.*)

44	45	46	47	48	49	50	51	52	53	54	55	56

RESULTS OF EXECUTION.

Number of Cases.					Amount Realized.			Debtors in confinement during the year.				
	Of Sequestration of real property under Act VIII of 1859.							*Number of persons.*				
In which other real property has been sold.	By order of Court under Section 243.	At instance of the Collector under Section 244.	Of sales of personal property.	Of imprisonment.	Paid voluntarily into Court before application for execution.	Paid after attachment but before sale of goods.	Realized by sale.	Up to one month.	Above 1 and up to 3 months.	Above 3 and up to 6 months.	Above 6 months.	For what amounts.
73	...	1	81	14	7,059	44,034	76,640	...	127	45	1	12,202
14	...	...	24	...	8,472	15,524	2,928	...	...	...	...	...
21	...	...	46	6	43,366	18,977	7,359	5	2	...	...	539
108	...	1	151	20	58,897	79,135	86,927	5	129	45	1	12,741
10	1	...	9	5	6,055	13,370	3,142	2	...	...	5	2,796
21	1	...	16	3	12,277	9,909	2,211	...	3	...	...	165
1	...	...	15	...	6,644	4,561	2,743	...	...	1	...	839
32	2	...	40	8	84,976	27,846	8,096	2	3	1	5	3,800
84	...	...	95	87	9,911	48,648	9,886	82	3	...	...	1,970
40	...	...	198	14	32,865	48,498	12,966	3	13	5	1	9,093
15	...	...	42	28	17,975	4,673	3,329	26	1	...	1	1,342
139	...	...	335	129	60,751	1,01,819	26,175	111	17	5	2	12,405
12	2	...	644	42	9,617	35,490	13,779	27	9	6	...	10,716
10	...	1	224	3	47,924	51,844	10,204	3	...	...	1	1,725
3	...	...	142	7	17,506	8,329	3,637	7	...	...	...	304
25	2	1	1,010	52	75,047	95,672	27,620	37	9	6	1	12,885
129	26	10	207	13	1,58,912	93,348	15,763	4	7	2	...	2,273
11	...	...	78	2	483	33,527	1,804	2	...	...	...	113
112	...	...	137	37	1,969	73,965	8,865	32	4	3	...	5,454
252	26	10	422	52	1,61,354	2,00,840	26,432	38	11	5	...	7,840
63	...	...	192	51	23,004	52,628	16,404	48	5	...	1	16,869
88	...	...	226	11	21,220	23,922	8,822	10	2	1	...	1,471
6	...	...	106	16	10,967	26,435	4,435	11	7	...	...	1,968
157	...	...	524	78	55,191	1,02,985	29,661	69	14	1	1	20,248
26	...	...	28	38	38,022	16,237	3,259	29	7	2	...	2,302
16	...	...	59	...	18,311	14,190	3,185	...	...	...	...	...
19	...	...	366	1	17,438	18,301	3,118	1	...	...	...	101
10	...	...	142	3	5,014	18,192	5,710	2	1	...	...	1,283
71	...	...	595	42	78,785	66,920	15,272	32	8	2	...	3,686
...	...	...	4	4	23,609	6,227	92	...	3	1	...	219
3	...	...	62	22	17,344	25,648	3,951	13	5	4	...	3,518
6	...	...	4	1	18,242	2,243	188	...	1	...	...	169
9	...	...	70	27	59,285	34,118	4,231	13	9	5	...	3,906
4	...	1	5	12	4,373	44,012	9,248	11	3	4	2	7,862
...	...	...	13	22	...	5,020	805	13	6	3	...	3,682
1	...	...	42	1	11,400	8,103	1,351	1	...	...	...	92
...	...	...	12	17	16,922	2,812	947	...	11	6	...	2,340
5	...	1	72	52	32,695	59,947	12,351	25	20	13	2	13,976
4	...	...	36	186	22,820	41,360	2,592	151	34	4	...	7,374
...	...	...	9	3	810	1,160	130	3	...	...	...	64
2	...	...	2	8	4,806	...	423	4	...	2	...	446
6	...	...	47	197	28,436	42,520	3,145	158	34	6	...	7,884
804	30	13	3,266	657	6,95,417	8,11,802	2,39,910	490	256	89	12	99,321

APPENDIX NO. VII.

GENERAL STATEMENT OF APPEALS HEARD IN THE DISTRICT COURTS OF THE PUNJAB DURING 1868.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
			Cases for disposal.				Decided on trial.							
							In favor of Appellant.							
Number.	Division.	District.	Pending at the close of 1867.	Instituted during 1868.	Total.	Appeals withdrawn, transferred or struck off without trial.	In whole.	In part.	In favor of Respondent.	Remanded for further investigation.	Total disposed of.	Number of cases pending at the end of the year.	Average duration in days.	Date of oldest case pending.
1	DELHIE.	Delhie, ...	14	111	125	14	11	15	70	15	125	...	53	...
2		Goorgaon, ...	4	97	101	6	17	2	62	13	100	1	11	...
3		Kurnal, ...	...	164	164	14	41	9	72	18	154	10	14	4th Decr. 1868.
		Total, ...	18	372	390	34	69	26	204	46	379	11	26	
4	HISSAR.	Hissar, ...	...	144	144	19	19	5	76	23	142	2	6	22nd Decr. 1868.
5		Rohtuck, ...	1	150	151	1	38	6	82	24	151	...	7	...
6		Sirsa, ...	1	87	88	3	11	5	48	20	87	1	19	...
		Total, ...	2	381	383	23	68	16	206	67	380	3	10	
7	UMBALLA.	Umballa, ...	17	472	489	21	68	20	286	46	441	48	34	1st Octr. 1868.
8		Loodiana, ...	12	166	178	6	27	11	124	8	176	2	6	...
9		Simla, ...	1	11	12	1	...	1	9	1	12	...	17	...
		Total, ...	30	649	679	28	95	32	419	55	629	50	19	
10	JULLUNDUR.	Jullundur, ...	6	296	302	102	26	48	74	50	300	2	13	22nd Decr. 1868.
11		Hooshyarpoor, ...	14	415	429	...	32	27	300	21	380	49	14	...
12		Kangra, ...	2	242	244	9	14	5	114	99	241	3	8	...
		Total, ...	22	953	975	111	72	80	488	170	921	54	12	
13	AMRITSUR.	Umritsur, ...	105	383	488	6	19	15	186	65	291	197	104	23rd May 1868.
14		Goordaspoor, ...	21	221	242	49	28	16	99	37	229	13	31	10th Octr. 1868.
15		Sealkote, ...	3	269	272	5	26	10	151	78	270	2	27	20th Novr. 1868.
		Total, ...	129	873	1,002	60	73	41	436	180	790	212	54	
16	LAHORE.	Lahore, ...	1	120	121	7	22	13	62	17	121	...	18	...
17		Goojranwalla, ...	8	159	167	4	21	14	114	4	157	10	39	10th Novr. 1868.
18		Ferozepoor, ...	11	466	477	41	44	32	219	130	466	11	17	...
		Total, ...	20	745	765	52	87	59	395	151	744	21	24	
19	RAWUL-PINDEE.	Rawul Pindee, ...	7	365	372	16	55	17	207	31	326	46	17	...
20		Jhelum, ...	14	299	313	17	24	8	187	58	294	19	13	12th Novr. 1868.
21		Goojrat, ...	...	234	234	4	17	5	150	58	234	...	3	...
22		Shahpoor, ...	9	154	163	...	18	21	110	10	159	4	16	...
		Total, ...	30	1,052	1,082	37	114	51	654	157	1,013	69	16	
23	DERA-JAT.	Bunnoo, ...	49	359	408	13	18	20	239	110	400	8	74	23rd Decr. 1868.
24		Dera Ismail Khan, ...	5	145	150	38	4	4	41	63	150	...	51	...
25		Dera Ghazee Khan, ...	8	75	83	3	10	9	25	16	63	20	31	1st Octr. 1868.
		Total, ...	62	579	641	54	32	33	305	189	613	28	52	
26	MOOLTAN.	Mooltan, ...	3	153	156	9	48	15	73	10	155	1	20	9th Decr. 1868.
27		Jhung, ...	9	178	187	18	16	3	75	75	187	...	17	...
28		Montgomery, ...	1	42	43	12	11	2	17	1	43	...	12	...
29		Moozuffurgurh, ...	3	84	87	13	14	3	42	15	87	...	11	...
		Total, ...	16	457	473	52	89	23	207	101	472	1	20	
30	PESHAWUR.	Peshawur, ...	38	251	289	15	30	9	104	106	264	25	18	...
31		Hazara, ...	2	79	81	1	24	2	35	18	80	1	43	...
32		Kohat, ...	...	26	26	3	2	1	16	4	26	...	46	...
		Total, ...	40	356	396	19	56	12	155	128	370	26	35	
		Grand Total, ...	369	6,417	6,786	470	755	373	3,469	1,244	6,311	475	27	

APPENDIX NO. VIII.

APPEALS TO COMMISSIONERS.

APPENDIX NO. VIII.

STATEMENT OF APPEALS PREFERRED TO COMMISSIONERS OF DIVISIONS DURING 1868.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29
			APPEALS FOR DISPOSAL.						APPEALS DISPOSED OF.																			
			Pending at the close of 1867.		Instituted during the year.		Total.		Appeals withdrawn, or transferred, struck off without trial.		Decided on trial. In favor of Appellant. In whole.		Decided on trial. In favor of Appellant. In part.		Decided on trial. In favor of Respondent.		Remanded for further investigation.		Total disposed of.		Pending at the close of the year.		Miscellaneous Appeals.					
Number.	Division.	District.	From the order of a Court of first instance.	From Dy. Commr's. order passed upon appeal.	From the order of a Court of first instance.	From Dy. Commr's. order passed upon appeal.	From the order of a Court of first instance.	From Dy. Commr's. order passed upon appeal.	From the order of a Court of first instance.	From Dy. Commr's. order passed upon appeal.	From the order of a Court of first instance.	From Dy. Commr's. order passed upon appeal.	From the order of a Court of first instance.	From Dy. Commr's. order passed upon appeal.	From the order of a Court of first instance.	From Dy. Commr's. order passed upon appeal.	From the order of a Court of first instance.	From Dy. Commr's. order passed upon appeal.	From the order of a Court of first instance.	From Dy. Commr's. order passed upon appeal.	From the order of a Court of first instance.	From Dy. Commr's. order passed upon appeal.	Pending from 1867.	Instituted during 1868.	Disposed of during 1868.	Remaining at close of 1868.	Average duration.	Date of oldest case pending.
1	DELHI.	Delhi, ...	10	1	174	23	184	24	18	12	42	1	12	...	89	11	14	...	175	24	9	...	1	63	63	1	16	18th July.
2		Goorgaon, ...	...	2	97	29	97	31	2	4	16	5	7	1	53	19	14	1	92	30	5	1	1	8	9	...	17	16th Decr.
3		Kurnal, ...	1	3	88	20	89	23	13	4	17	8	4	2	46	9	7	...	87	23	2	...	...	13	13	...	35	14th Decr.
		Total, ...	11	6	359	72	370	78	33	20	75	14	23	3	188	39	35	1	354	77	16	1	2	84	85	1	22	
4	HISSAR.	Hissar, ...	...	3	15	27	15	30	1	1	1	5	1	1	11	21	...	2	14	30	1	...	...	4	4	...	23	21st Decr.
5		Rohtuck, ...	4	2	77	37	81	39	4	5	14	4	3	...	47	27	11	2	79	38	2	1	...	1	1	...	24	14th Decr.
6		Sirsa, ...	1	3	13	5	14	8	2	1	...	...	..	...	11	6	1	...	14	7	...	1	...	2	2	...	20	18th Decr.
		Total, ...	5	8	105	69	110	77	7	7	15	9	4	1	69	54	12	4	107	75	3	2	...	7	7	...	22	
7	UMBALLA.	Umballa, ...	120	69	367	128	487	197	...	...	18	4	58	13	353	171	40	7	469	195	18	2	6	21	27	...	56	1st Decr.
8		Loodiana, ...	46	27	197	85	243	112	...	...	9	6	39	6	175	90	11	10	234	112	9	...	4	7	11	...	52	18th Decr.
9		Simla, ...	11	...	20	...	31	...	...	...	1	...	4	...	25	...	1	...	31	...	...	...	1	4	5	...	65	
		Total, ...	177	96	584	213	761	309	...	...	28	10	101	19	553	261	52	17	734	307	27	2	11	32	43	...	55	
10	JULLUNDUR.	Jullundur, ...	141	6	325	29	466	35	30	4	65	2	19	1	174	18	37	...	325	25	141	10	2	11	12	1	125	11th March.
11		Hooshyarpoor, ...	105	29	407	44	513	73	23	3	49	6	19	2	245	48	58	4	394	63	118	10	2	13	14	...	116	4th March.
12		Kangra, ...	6	4	16	11	22	15	...	1	4	...	1	...	15	10	...	2	20	13	2	2	...	4	4	...	120	3rd Octr.
		Total, ...	252	39	748	84	1,000	123	53	8	118	8	39	3	434	76	95	6	739	101	261	22	4	27	30	1	120	

13	UMRITSUR.	Umritsur,	92	17	267	39	359	56	14	...	30	4	7	2	157	36	95	6	303	48	56	8	9	56	62	3	94	12th Jany. 1867.
14		Goordaspoor, ...	68	23	100	32	168	55	6	2	9	1	5	3	80	37	31	6	131	49	37	6	...	6	5	1	136	18th June 1867.
15		Sealkote, ...	55	21	106	21	161	42	6	1	11	5	6	1	63	25	31	4	117	36	44	6	1	15	14	2	135	22nd April 1867.
		TOTAL, ...	215	61	473	92	688	153	26	3	50	10	18	6	300	98	157	16	551	133	137	20	10	77	81	6	104	
16	LAHORE.	Lahore, ...	16	5	167	11	183	16	18	2	19	2	27	...	89	11	22	...	175	15	8	1	1	42	40	3	27	11th Novr.
17		Goojranwalla, ...	6	3	78	15	84	18	4	3	11	2	9	3	39	9	19	...	62	17	2	1	...	13	13	...	22	16th Decr.
18		Ferozepoor, ...	18	2	98	69	116	71	9	17	14	4	9	2	59	27	21	7	112	57	4	14	1	16	16	1	22	20th July.
		TOTAL, ...	40	10	343	95	383	105	31	22	44	8	45	5	187	47	62	7	369	89	14	16	2	71	69	4	24	
19	RAWULPINDEE.	Rawulpindee, ...	24	21	220	70	244	91	20	7	30	13	14	2	151	58	16	10	231	90	13	1	...	7	7	...	13	24th July.
20		Jhelum, ...	9	13	120	84	129	102	3	15	19	18	10	1	73	58	15	9	120	101	9	1	...	...	...	..	10	7th Decr.
21		Goojrat, ...	3	4	70	25	73	29	6	4	13	5	2	...	27	17	8	1	56	27	17	2	...	...	...	...	21	7th Decr.
22		Shahpoor, ...	19	6	123	37	142	43	7	1	26	5	7	2	73	26	14	5	127	39	15	4	...	4	4	...	24	5th Augt.
		TOTAL, ...	55	49	533	216	588	265	36	27	88	41	33	5	324	159	53	25	534	257	54	8	...	11	11	...	17	
23	DERAJAT.	Bunnoo, ...	39	65	82	48	121	113	1	2	1	7	3	1	87	62	16	34	108	106	13	7	...	...	...	...	207	21st Augt. 1868.
24		Dera I. Khan, ..	34	34	110	24	144	58	9	3	4	5	...	1	81	42	24	6	118	57	26	1	...	1	1	...	155	20th Mch. 1867.
25		Dera G. Khan, ...	6	9	33	8	39	17	2	...	...	...	1	...	26	13	10	2	39	15	...	2	...	...	...	...	143	12th Novr.
		TOTAL, ...	79	108	225	80	304	188	12	5	5	12	4	2	194	117	50	42	265	178	39	10	...	1	1	...	179	
26	MOOLTAN.	Mooltan, ...	4	3	62	22	66	25	2	7	8	4	1	...	45	12	5	1	61	24	5	1	1	10	11	...	24	15th Novr.
27		Jhung, ...	2	1	51	32	53	33	2	2	4	6	3	...	32	17	11	5	52	30	1	3	...	3	2	1	27	30th Octr.
28		Montgomery, ...	1	...	25	9	26	9	2	1	3	2	1	...	9	5	9	1	24	9	2	...	...	1	1	...	32	19th Decr.
29		Moozuffurgurh, ...	...	1	46	20	46	21	2	3	2	3	...	1	35	14	6	...	45	21	1	...	...	1	1	...	...	
		TOTAL, ...	7	5	184	83	191	88	6	13	17	15	5	1	121	48	31	7	182	84	9	4	1	15	15	1	27	
30	PESHAWUR.	Peshawur, ...	38	13	157	39	195	52	1	...	6	2	3	1	78	34	23	4	111	41	84	11	...	20	10	10	141	26th March.
31		Huzara, ...	3	3	10	7	13	10	...	...	...	...	...	1	7	8	3	1	10	10	3	...	..	1	1	...	124	9th Octr.
32		Kohat, ...	2	1	3	3	5	4	...	...	...	...	...	...	3	3	2	1	5	4	...	...	...	...	...	...	97	
		TOTAL, ...	43	17	170	49	213	66	1	...	6	2	3	2	88	45	28	6	126	55	87	11	...	21	11	10	137	
		GRAND TOTAL,	884	399	3,724	1,053	4,608	1,452	207	105	446	129	275	47	2,458	944	575	131	3,961	1,356	647	96	30	346	353	23	70	

NO. IX.

APPEALS TO CHIEF COURT.

APPENDIX NO. IX.

COMPARATIVE STATEMENT OF APPEALS PREFERRED, IN THE CIVIL DEPARTMENT, TO THE CHIEF COURT OF THE PUNJAB DURING THE YEAR 1867-68.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
			Pending at the close of previous year.		Instituted during the year.		Total.			Appeals rejected							Total disposed of.			Pending at the close of the year.					
Number.	Division.	DISTRICT.	Regular.	Special.	Regular.	Special.	Regular.	Special.	Total.	On account of improper nature of appeal.	Without summoning respondent.	Total.	Decisions confirmed, after sending for record of lower Court and notice to respondent.	Decisions reversed.	Decisions modified.	Returned for reinvestigation.	Regular.	Special.	Total.	Regular.	Special.	Total.	Percentage of orders not confirmed.	Average duration.	Date of oldest case pending.
1	DELHI	Delhi, ... 1867,	13	2	45	22	58	24	82	6	16	22	32	8	3	5	49	21	70	9	3	12	25	66	22nd April 1867.
		1868,	9	3	31	15	40	18	58	...	8	8	25	7	3	..	28	15	43	12	3	15	23	61	30th March 1868.
2		Goorgaon, ... 1867,	1	1	17	3	18	4	22	2	6	8	7	1	4	...	17	3	20	1	1	2	42	53	30th October 1867.
		1868,	1	1	21	9	22	10	32	...	5	5	10	1	..	2	11	7	18	11	3	14	17	42	20th May 1868.
3		Kurnaul, ... 1867,	13	2	32	11	45	13	58	8	8	16	18	8	1	9	42	10	52	3	3	6	33	53	5th December 1867.
		1868,	3	3	18	19	21	22	43	5	9	14	6	3		4	13	14	27	8	8	16	26	38	3rd February 1868.
		Total, ... 1867,	27	5	94	36	121	41	162	16	30	46	57	17	8	14	108	34	142	13	7	20	30	59	...
		1868,	13	7	70	43	83	50	133	5	22	27	41	11	3	6	52	36	88	31	14	45	23	50	
		Difference, ...	−14	+2	−24	+7	−38	+9	−29	−11	−8	−19	−16	−6	−5	−8	−56	+2	−54	+18	+7	+25	−7	−9	...
4	HISSAR	Hissar, ... 1867,	8	...	18	2	26	2	28	1	10	11	6	4		3	22	2	24	4	.	4	40	58	26th July 1867.
		1868,	4	..	11	5	15	5	20	..	7	7	8	3		...	14	4	18	1	1	2	17	58	7th Novr. 1868.
5		Rohtuck, ... 1867,	8		30	2	38	2	40	8	5	13	14	7	...	2	35	1	36	3	1	4	33	44	24th October 1867.
		1868,	3	1	21	9	24	10	34	2	6	18	12	9		1	21	9	30	3	1	4	33	46	23rd June 1868.
6		Sirsa, ... 1867,	5	..	14	4	19	4	23	2	4	6	9	4	1	1	18	3	21	1	1	2	36	54	5th Novr. 1867
		1868,	1	1	12	4	13	5	18	.	11	11	4	2	.	1	13	5	18	.	.	...	17	52	
		Total, 1867,	21	...	62	8	83	8	91	11	19	30	29	15	1	6	75	6	81	8	2	10	36	51	.
		1868,	8	2	44	18	52	20	72	2	24	26	24	14	.	2	48	18	66	4	2	6	24	47	..
		Difference, ...	−13	+2	−18	+10	−31	+12	−19	−9	+5	−4	−5	−1	−1	−4	−27	+12	−15	−4	.	−4	−12	−4	...

7	UMBALLA.	Amballa, ...	1867,	21	..	88	7	109	7	116	12	24	36	44	8	2	12	97	5	102	12	2	14	19	48	11th October 1867.
			1868,	12	2	103	30	115	32	147	4	51	55	38	13	5	7	94	24	118	21	8	29	21	35	19th October 1868.
8		Loodiana, ...	1867,	18	2	35	9	53	11	64	11	13	24	27	5	1	3	50	10	60	3	1	4	19	48	3rd December 1867.
			1868,	3	1	63	19	66	20	86	4	39	43	13	9	...	2	56	11	67	10	9	19	16	24	19th October 1868.
9		Simla, ...	1867,	2	...	1	...	3	...	3	...	1	1	2	...	...	...	3	...	3	...	...	...	...	74	22nd Novr. 1868.
			1868,	..	..	7	3	7	3	10	...	1	1	5	4	...	..	7	3	10	...	...	...	40	77	...
		Total, ...	1867,	41	2	124	16	165	18	183	23	38	61	73	13	3	15	150	15	165	15	3	18	18	61	...
			1868,	15	3	173	52	188	55	243	8	91	99	56	26	5	9	157	38	195	31	17	48	21	34	...
		Difference. ...		—26	+1	+49	+36	+23	+37	+60	—15	+53	+38	—17	+13	+2	—6	+7	+23	+30	+16	+14	+30	+3	—27	...
10	JULLUNDUR.	Jullundur, ...	1867,	23	.	100	13	123	13	136	7	38	45	37	19	2	7	109	11	120	14	2	16	36	43	22nd July 1867.
			1868,	14	2	64	23	78	25	103	2	33	35	29	11	3	8	67	19	86	11	6	17	26	43	8th June 1868.
11		Hooshyarpore, ...	1867,	23		69	6	92	6	98	12	28	40	34	11	1	5	86	5	91	6	1	7	26	49	31st July 1867.
			1868,	6	1	58	9	64	10	74	2	18	20	28	7	3	4	56	6	62	8	4	12	23	44	13th June 1868.
12		Kangra, ...	1867,	3	...	5	..	8	..	8	...	2	2	3	1	...	2	8	...	8	...	...	...	25	64	16th July 1866.
			1868,	.		7	1	7	1	8	...	2	2	3	1	..	..	5	1	6	2	..	2	17	34	19th October 1868.
		Total, ...	1867.	49	...	174	19	223	19	242	19	68	87	84	31	3	14	203	16	219	20	3	23	29	46	...
			1868.	20	3	129	33	149	36	185	4	53	57	60	19	6	12	128	26	154	21	10	31	24	43	...
		Difference, ...		—29	+3	—45	+14	—74	+17	—57	—15	—15	—30	—24	—12	+3	—2	—75	+10	—65	+1	+7	+8	—5	—3	...
13	UMRITSUR.	Umritsur, ...	1867,	15		84	9	99	9	108	9	31	40	33	13	5	5	87	9	96	12	.	12	20	42	31st October 1867.
			1868,	12	...	70	21	82	21	103	6	27	33	37	14	4	3	74	17	91	8	4	12	23	41	19th October 1868.
14		Goordaspore, ...	1867,	6		41	6	47	6	53	3	12	15	20	4	3	4	40	6	46	7	..	7	26	35	1st July 1867.
			1868,	7	...	24	4	31	4	35	1	7	8	15	3	2	1	27	2	29	4	2	6	21	45	10th June 1868.
15		Sealkote, ...	1867,	5	...	30	3	35	3	38	1	15	16	10	...	2	3	29	2	31	6	1	7	17	34	11th October 1867.
			1868,	6	1	21	9	27	10	37	1	11	12	12	5	3	2	25	9	34	2	1	3	29	38	30th October 1868.
		Total, .	1867,	26	..	155	18	181	18	199	13	58	71	63	17	10	12	156	17	173	25	1	26	30	41	...
			1868,	25	1	115	34	140	35	175	8	45	53	64	22	9	6	126	28	154	14	7	21	24	42	...
		Difference, ..		—1	+1	—40	+16	—41	+17	—24	—5	—13	—18	+1	+5	—1	—6	—30	+11	—19	—11	+6	—5	—6	+1	...
16	LAHORE.	Lahore, ...	1867,	15	...	44	8	59	8	67	1	19	20	24	9	1	4	53	5	58	6	3	9	30	72	24th August 1867.
			1868,	6	3	59	14	65	17	82	1	21	22	28	10	2	6	55	13	68	10	4	14	26	39	4th July 1868.
17		Goojranwalla, ..	1867,	3	..	23	...	26	...	26	..	9	9	9	5	...	2	25	...	25	1		1	36	50	7th December 1867.
			1868,	1	.	13	10	14	10	24	.	4	4	8	5	.	2	12	7	19	2	3	5	37	39	20th October 1868.
18		Ferozepore, ..	1867,	10	1	67	10	77	11	88	1	19	20	32	10	4	2	61	7	68	16	4	20	30	44	16th October 1867.
			1868,	16	4	43	19	59	23	82	2	21	23	31	17	...	.	51	20	71	8	3	11	23	49	26th October 1868.
		Total, ...	1867.	28	1	134	18	162	19	181	2	47	49	65	24	5	8	139	12	151	23	7	30	31	55	...
			1868,	23	7	115	43	138	50	188	3	46	49	67	32	2	8	118	40	158	20	10	30	27	43	..
		Difference. ...		—5	+6	—19	+25	—24	+31	+7	+1	—1	...	+2	+8	—3	...	—21	+28	+7	—3	+3	...	—4	—12	..

APPENDIX No. IX.—(*Concluded.*)

1	2	3		4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26
				Pending at the close of previous year.		Instituted during the year.		Total.			Appeals rejected.							Total disposed of.			Pending at the close of the year.					
Number.	Division.	District.		Regular.	Special.	Regular.	Special.	Regular.	Special.	Total.	On account of imperfect nature of appeal.	Without summoning respondent.	Total.	Decisions confirmed after sending for record of lower Court and notice to respondent.	Decisions reversed.	Decisions modified.	Returned for relaxation.	Regular.	Special.	Total.	Regular.	Special.	Total.	Per-centage of orders not confirmed.	Average duration.	Date of oldest case pending.
19	RAWUL-PINDEE.	Rawul Pindee, ...	1867,	13	2	41	8	54	10	64	16	13	29	21	5	1	5	52	9	61	2	1	3	22	44	17th July 1867.
			1868,	2	1	37	6	39	7	46	5	13	18	12	1	1	1	30	3	33	9	4	13	9	31	19th October 1868.
20		Jhelum, ...	1867,	12	...	44	9	56	9	65	5	16	21	24	4	2	10	52	9	61	4	...	4	20	53	10th Novr. 1866.
			1868,	4	...	42	16	46	16	62	3	21	24	21	5	1	3	44	10	54	2	6	8	17	46	19th October 1868.
21		Goojrat, ...	1867,	1	...	6	2	7	2	9	2	2	4	4	...	...	1	7	2	9	...	...	...	...	40	26th Novr. 1866.
			1868,	...	...	7	1	7	1	8	...	4	4	1	...	...	2	6	1	7	1	...	1	29	29	19th October 1868.
22		Shahpore, ...	1867,	4	...	31	2	35	2	37	5	11	16	13	4	...	...	31	2	33	4	...	4	23	36	9th October 1867.
			1868,	4	...	19	5	23	5	28	...	6	6	11	1	2	2	18	4	22	5	1	6	23	53	24th July 1868.
		Total, ...	1867,	30	2	122	21	152	23	175	28	42	70	62	13	3	16	142	22	164	10	1	11	21	46	...
			1868,	10	1	105	28	115	29	144	8	44	52	45	7	4	8	98	18	116	17	11	28	16	43	...
		Difference, ...		—20	—1	—17	+7	—37	+6	—31	—20	+2	—18	—17	—6	+1	—8	—44	—4	—48	+7	+10	+17	—5	—3	...
23	MOOLTAN.	Mooltan, ...	1867,	7	...	46	3	53	3	56	1	6	7	21	8	3	9	45	3	48	8	...	8	35	56	5th November 1867.
			1868,	8	...	15	9	23	9	32	...	8	8	14	4	1	4	23	8	31	...	1	1	29	53	30th October 1868.
24		Jhung, ...	1867,	10	2	30	2	40	4	44	...	10	10	15	2	1	10	35	3	38	5	1	6	17	53	5th November 1867.
			1868,	5	1	21	3	26	4	30	2	7	9	10	2	2	2	21	4	25	5	...	5	24	47	19th October 1868.
25		Montgomery, ...	1867,	1	...	18	1	19	1	20	1	5	6	4	2	3	3	17	1	18	2	...	2	55	43	8th November 1867.
			1868,	2	...	9	2	11	2	13	2	4	6	4	...	...	3	11	2	13	...	...	...	29	30	...
26		Mozuffurgurh, ...	1867,	...	...	19	1	19	1	20	5	4	9	6	2	1	2	19	1	20	...	...	...	33	39	8th November 1867.
			1868,	...	...	12	6	12	6	18	1	4	5	4	3	...	2	8	6	14	4	...	4	36	38	19th October 1868.
		Total, ...	1867,	18	2	113	7	131	9	140	7	25	32	46	14	8	24	113	8	124	15	1	16	33	50	...
			1868,	15	1	57	20	72	21	93	5	23	28	32	9	3	11	63	20	83	9	1	10	28	45	...
		Difference, ...		—3	—1	—56	+13	—59	+12	—47	—2	—2	—4	—14	—5	—5	—13	—53	+12	—41	—6	...	—6	—5	—5	...

27	DERAJAT.	Bunnoo, ...	1867,	4	...	10	1	14	1	15	1	4	5	4	1	1	1	12	...	12	2	1	3	33	57	17th October 1867
			1868,	2	1	19	2	21	3	24	...	7	7	7	1	2	1	15	3	18	6	..	6	22	34	19th October 1868
28		Dera Ismail Khan, ..	1867,	7	...	16	1	23	1	24	5	2	7	5	4	1	7	23	1	24	...		..	50	70	9th October 1866
			1868,	...	...	17	1	17	1	18	...	3	3	4	3	...	...	9	1	10	8	...	8	30	46	21st March 1868
29		Dera Ghazee Khan, ..	1867,	1	...	1	..	2	..	2	...		..	...	...	...	2	2	..	2	...	...	...	...	85	25th October 1867.
			1868,	...	...	10	2	10	2	12	1	3	4	2	...	...	2	6	2	8	4	.	4	25	29	5th May 1868.
		Total, ...	1867,	12	...	27	2	39	2	41	6	6	12	9	5	2	10	37	1	38	2	1	3	44	66	
			1868,	2	1	46	5	48	6	54	1	13	14	13	4	2	3	30	6	36	18	..	18	25	36	...
		Difference, ...		—10	+1	+19	+3	+9	+4	+13	—5	+7	+2	+4	—1	...	—7	—7	+5	—2	+16	—1	+15	—19	—30	..
30	PESHAWUR.	Peshawur, ...	1867,	12	1	44	1	56	2	58	6	9	15	27	5	3	2	50	2	52	6	...	6	23	56	8th July 1867.
			1868,	6	...	11	1	17	1	18	...	4	4	8	...	1	...	12	1	13	5	..	5	8	69	26th October 1868.
31		Huzara, ...	1867,	...	...	5	..	5	...	5	1	2	3	...	2	...	...	5	...	5	...	...	..	100	36	8th July 1867
			1868,	...	...	2	...	2	...	2	...	1	1	...	...	...	...	1	...	1	1	...	1	...	8	19th October 1868.
32		Kohat, ...	1867,	...	...	1	...	1	...	1	...	...	...	...	...	...	..	...	...	..	1	...	1	..	..	4th November 1867.
			1868,	1	..	2	...	3	...	3	...	1	1	1	...	...	...	2	...	2	1	...	1	.	41	4th December 1868.
		Total, ...	1867,	12	1	50	1	62	2	64	7	11	18	27	7	3	2	55	2	57	7	...	7		54	...
			1868,	7	.	15	1	22	1	23	...	6	6	9	...	1	...	15	1	16	7	...	7	6	61	..
		Difference, ...		—5	—1	—35	...	—40	—1	—41	—7	—5	—12	—18	—7	—2	—2	—40	—1	—41	...	...	...	+6	+7	...
		GRAND TOTAL, ...	1867,	264	13	1,055	146	1,319	159	1,478	132	344	476	515	156	46	121	1,181	133	1,314	138	26	167	26	53	...
			1868,	138	26	869	277	1,007	303	1,310	44	367	411	411	144	35	65	835	231	1,066	172	72	244	23	40	...
		Difference, ...		—126	+13	—186	+131	—312	+144	—168	—88	+23	—65	—104	—12	—11	—56	—346	+98	—248	+34	+46	+77	—3	—13	..

APPENDIX NO. X.

ABSTRACT STATEMENT SHOWING THE BUSINESS OF THE CIVIL APPELLATE COURTS DURING 1868, AS COMPARED WITH 1867.

CLASSES OF COURTS.		Cases on the files.			Appeals withdrawn, transferred or struck off without trial.	Decided on trial.			Remanded for further investigation.	Total.	Cases pending at the end of the year.	Average duration of each appeal.	Per-centage of decisions not confirmed.	Per-centage of appeals remanded for re-investigation.	Per-centage of appeals withdrawn, struck off, and unsettled.
		Remaining from previous year.	Instituted.	Total.		In favour of Appellant. In whole.	In favour of Appellant. In part.	In favour of Respondent.							
Deputy Commissioners,	1867,	569	7,548	8,117	636	879	376	4,566	1,290	7,747	370	21 days.	22	16	8
	1868,	369	6,417	6,786	470	765	373	3,469	1,244	6,311	475	27	18	19	7
Commissioners, ..	1867,	1,358	5,832	7,190	648	523	346	3,481	912	5,880	1,310	72 ,,	19	16	11
	1868,	1,283	4,777	6,060	312	575	322	3,402	706	5,317	743	70 ,,	20	13	5
Chief Court, ..	1867,	277	1,201	1,478	493	136	46	515	121	1,311	167	53 ,,	26	9	38
	1868,	164	1,146	1,310	411	144	35	411	65	1,066	244	40 ,,	30	5	38
Total, ..	1867,	2,204	14,581	16,785	1,777	1,538	738	8,562	2,323	14,938	1,847	40 ,,	21	15	12
	1868,	1,816	12,340	14,156	1,193	1,474	730	7,282	2,015	12,694	1,462	37 ,,	23	15	9
Difference, ..		−388	−2,241	−2,629	−584	−64	−8	−1,280	−308	−2,244	−385	−3 ,,	+2	..	−3

APPENDIX NO. XI.

VALUE AND COSTS.

STATEMENT SHEWING THE AVERAGE VALUE AND COSTS OF CASES DISPOSED

1	2	3	4	5	6	7	8	9	10	11	12	13
	CIVIL SUITS.											
			Cost of Suits.									
Classification of Suits according to value.	No. of Suits.	Aggregate value of Suits.	Institution Stamps.	Talabana.	Miscellaneous Costs.	Total.	Average value of Suits.	Average cost of Suits.	Per centage of cost to value	Average duration.	No of Suits.	Aggregate value of Suits.
Not exceeding Rs 5	11,502	39,113 70	9,879 74	2,205 80	1,616 99	13,702 53	3 40	1 10	35 03	12	3,589	10,495 85
" 20	56,433	6,68,059 35	73,921 50	21,196 61	14,745 19	1,09,863 26	11 83	1 94	16 44	13	11,264	1,34,714 16
" 100	46,760	21,57,073 64	1,99,290 78	69,199 14	29,391 86	2,97,881 78	46 13	6 37	13 80	18	7,869	3,77,842 18
" 500	9,648	19,05,052 41	1,83,885 15	41,720 23	19,105 55	2,44,716 93	197 55	25 37	12 84	26	2,184	4,19,840 00
" 5,000	1,043	13,80,674 56	95,211 33	14,988 00	12,300·51	1,22,499 97	1,323 75	117 44	8 87	41	242	2,70,958 59
" 1,00,000	66	5,32,963 68	20,198 5	1,625 00	5,619 48	27,442 53	8,075 20	415 79	5 14	103	5	46,981 75
Above Rs. 1,00,000	3	4,55,410 00	4,202 00	407 00	35 00	4,644 00	1,51,803 33	1,548·00	1 01	204	..	
Total, ..	125 450	71,38,347 34	5 86,588 55	1,51,347 78	82 814 67	8,20,751 00	56 90	6 54	11 49	13	25,103	12,66,832 53

NO. XI.

OF IN THE DISTRICT COURTS OF THE PUNJAB, DURING THE YEAR 1868.

14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
REGULAR REVENUE SUITS.								SUMMARY SUITS.									
Cost of Suits.										Cost of Suits.							
Institution Stamps.	Talabana.	Miscellaneous Costs.	Total.	Average value of Suits.	Average cost of Suits.	Per-centage of cost to value.	Average duration.	No. of cases.	Aggregate value of Suits.	Institution Stamps.	Talabana.	Miscellaneous Costs.	Total.	Average value of Suits.	Average cost of Suits.	Per-centage of cost to value.	Average duration.
3,682 50	1,343·81	1,865·61	6,891·92	2·98	1 94	65·66	21	198	727·80	196·62	54·49	47 06	298·17	3·67	1·50	40·96	8
16,268·50	7,034·67	5,108·21	28,411·38	11 07	2·52	21·08	20	621	7,327·62	686 50	225 25	215·12	1,126·87	11·79	1·81	15·37	14
30,518·12	18,455·36	11,180 29	69,162·77	48·01	8·79	18·30	26	289	12,255·07	1,154·49	525·88	138·26	1,818·63	42·40	6 29	14·83	12
41,985·00	15,808 86	5,614·00	63,407·86	192·23	29·03	15·10	32	22	3,418 68	299 00	147·00	40·56	486 56	155·39	22 11	14·22	18
27,267·15	4,949·43	2,413 60	34,630·18	1,144 45	143 09	12 51	40	1	911 84	...	15 00	3 00	18·00	911·84	18·00	1 97	70
2,070·00	332·60	436·00	2,838 60	9,896 35	567·72	6·04	88	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1,30,797·27	47,924·19	26,020·71	2,05,343·17	50·46	8·18	16·20	8	1,131	24,641·91	2,336 61	907·62	444·00	3,748·23	21·78	3·31	15·21	7

APPENDIX No. XII.

DISPOSAL OF ORIGINAL CIVIL SUITS.

BY EACH OFFICER.

APPENDIX No. XII.

STATEMENT SHOWING THE NUMBER OF ORIGINAL SUITS DISPOSED OF BY EACH OFFICER DURING 1868, THE AVERAGE DURATION OF EACH CASE, &c.

Powers.	Designation of Office.	Names of Officers.	Period of service during the year. M.	Period of service during the year. D.	Number of *Original* cases disposed of.	Number of *Miscellaneous* cases disposed of.	Average duration of: Cases struck off, &c.	Average duration of: Do. uncontested in Court.	Average duration of: Do. contested in Court.	Average number of cases disposed of per mensem.
		DELHI DIVISION.								
		DELHI DISTRICT.								
Section XI of Act XIX of 1865, ...	Deputy Commissioner, ...	Mr. D. Fitzpatrick, ...	9	5	22	214	22	140	96	2
" " " ...	Ditto, ...	Major C. A. McMahon, ...	1	25	5	51	26	48	50	4
" X " Full powers, ...	Assistant Commissioner, ...	Mr. E. O. Brien, ...	11	...	169	234	45	63	79	15
" " " " ...	Ditto, ...	Mr. F. Venning, ...	5	...	38	36	9	31	43	7
" " " " ...	Ditto, ...	Mr A. W. Stogden, ...	1	..	1	11	..	69	..	1
" " " Full powers, ...	Extra Assistant Commissioner, ...	Mr C. W. Lennox, ...	11	...	102	192	61	126	138	9
" VII " Ordinary ...	Assistant Commissioner, ...	Lieut Macpherson, ...	5	9	160	68	25	37	42	32
" " " " ...	Extra Assistant Commissioner, ...	Rai Bunsee Lall, ...	11	...	388	552	50	56	70	35
" " 1st Grade, ...	Tahseeldar of Delhie, ...	Nujjuf Khan, ...	11	...	262	152	32	29	63	24
" " " " ...	Do. of Lursowlee, ...	Hurdeo Sahai, ...	11	..	451	268	13	15	26	41
" " " " ...	Do. of Bullubghur, ...	Raja Lall.	4	..	202	194	45	21	42	23
" " " " ...	Do., ...	Ahmed Hossen, ...	5	14						
" VI 2nd Grade, ..	Naib do. Bullubghur, ...	Thakoor Dass, ...	11	...	147	32	43	17	55	13
Act XI of 1865, ...	District Judge of Small Causes, ...	Mr. C. Stephen, ...	11	...	3,161	1448	4	5	7	287
		GOORGAON DISTRICT.								
Section XI of Act XIX of 1865, ...	Deputy Commissioner, ...	Lieut. Col W R Elliott, ...	9	14	41	124	14	12	16	4
" " " ...	Do. do., ...	Lieut. Col H. A. Dwyer, ...	2	17	15	62	22	6	20	6
" X " Full powers, ...	Assistant do., ...	Mr L Cowan.	11	...	400	195	12	11	21	36
" " " " ...	Extra Asst. do, ...	Mahomed Sooltan Khan, ...	11	20	280	175	14	11	22	22
" VIII " Special, ...	Assistant do., ...	Mr W. E Purser, ...	4	8	77	37	24	18	22	18
" V 1st Grade, ...	Tahseeldar of Rewary, ...	Imdad Ally, ...	4	14	44	49	9	10	21	9

		Tahseeldar of Rewary,	Ikrar Ally,	7	17	83	49	27	13	16	10
		Do. of Pulwul,	Pyaree Lall,	11	...	192	78	13	13	21	17
		Do. of Noh,	Sheo Lall,	11	10	238	150	17	13	24	20
		Do. of Ferozepoor,	Budroo Deen,	2	26	8	24	...	12	27	3
		Do. do.,	Mahomed Yaseen Khan,	9	...	84	46	19	10	22	9
		Do. of Jharsa,	Boorhanooddin,	8	...	36	37	25	13	35	4
		Do. do.,	Showki Ram,	1	2	5	4	17	14	...	5
"	VI	2nd Grade,	Naib ditto Jharsa,	5	15	37	50	18	18	25	6
"	"		Do. ditto Rewaree,	11	...	128	59	22	11	23	11
"	"	" "	Do. ditto Ferozepoor,	3	..	5	9	20	22	24	2
			Do. ditto Pulwul,	8	...	21	12	10	8	..	7
"	"	" "	Honorary Civil Judge,	3	23	23	19	...	11	14	6
			KURNAL DISTRICT.								
Section XI Act XIX of 1865,			Deputy Commissioner,	10	4	23	100	15	10	18	2
"	X	" Full powers,	Assistant do.,	5	13	79	88	19	22	34	15
"	"	" "	Extra Assist. do.,	3	24	20	26	21	51	84	6
"	"	" "	Ditto,	11	...	179	137	16	19	28	16
"	"	" "	Ditto,	11	...	254	286	19	30	31	23
"	V	1st Grade,	Tahseeldar Paniput,	1	10	45	59	29	17	71	34
"	"	" "	Ditto ditto,	1	13	48	...	19	17	35	34
"	"	" "	Ditto ditto,	8	...	144	119	10	16	33	18
"	"	" "	Tahseeldar of Kurnal,	3	27	142	17	9	11	24	36
"	"	" "	Ditto Kythul,	11	...	159	227	23	14	23	14
"	"	" "	Ditto Kurnal,	4	7	94	28	12	12	36	22
"	VI	2nd Grade,	Naib Tahseeldar Paniput,	10	21	376	141	11	13	18	35
"	"	" "	Ditto Kurnal,	5	14	144	19	10	9	12	26
"	"	" "	Ditto ditto,	1	...	26	...	13	12	23	26
"	"	" "	Naib ditto Kythul,	10	...	139	65	15	16	23	24
"	"	" "	Ditto ditto,	2	27	41	11	20	11	8	14
"	"	" "	Ditto ditto,	1	15	16	...	6	7	26	11
			Ditto ditto,	2	11	40	19	6	4	13	17
			Honorary Civil Judge,	11	...	64	114	5	6	12	6
			Ditto,	11	...	1	...	...	28	...	...
			HISSAR DIVISION.								
			HISSAR DISTRICT.								
Section XI Act XIX of 1865,			Deputy Commissioner,	6	11	33	123	34	7	22	5
"	"	"	Ditto,	5	18	27	182	20	18	8	5
"	X	" Full powers,	Assistant Commissioner,	5	18	53	49	15	17	5	10
"	X	" "	Ditto,	2	26	38	12	10	8	14	13
"	"	" "	Extra Assistant Commissioner,	11	...	167	123	10	14	12	15
"	V	1st Grade,	Tahseeldar of Hissar,	9	15	206	87	19	13	30	21
"	"	" "	" Bhewani,	11	...	477	150	15	15	30	43
"	"	" "	" Hansi.	9	15	217	219	15	10	36	23
"	"	" "	" Futtabad,	11	...	261	113	11	9	8	23
"	"	" "	" Burwalla,	11	...	87	31	20	23	23	8
"	VI	2nd Grade,	Naib " Hissar,	3	20	35	10	6	15	...	9
"	"	" "	" Hansi,	6	27	80	14	9	11	17	12
"	"	" "	" Futtabad,	6	27	68	7	4	4	4	10

APPENDIX XII—(*Continued.*)

Powers	Designation of Office.	Names of Officers.	Period of service during the year. M.	Period of service during the year. D.	Number of *Original* cases disposed of.	Number of *Miscellaneous* cases disposed of.	Average duration of: Cases struck off, &c.	Average duration of: Do uncontested in Court.	Average duration of: Do. contested in Court.	Average number of cases disposed of per mensem.
		Rohtuck District.								
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	Major John Fendall, ...	4	19	10	122	17	19	63	2
" " " ...	Ditto, ...	Major H. J. Hawes, ...	7	12	14	109	21	18	8	2
" " " ...	Extra Assistant Commissioner, ...	Mr T W. Bailey, ...	11	...	121	113	20	20	31	10
" " " ...	Ditto, ...	Purtab Singh, ...	11	...	294	363	12	8	18	26
" V 1st Grade, ...	Tahseeldar of { Rohtuk, ...	Amanut Ali, ...	11	...	159	100	15	13	25	23
	Tahseeldar of { Jhujjur, ...			...	91	50	15	16	15	
" " " " ...	Do. of Sampla, ...	Gholam Nubbee, ...	11	...	278	144	13	16	20	25
" " " " ...	Do of Gohana, ...	Ikrar Ali, ...	2	28	49	25	16	13	25	16
" " " " ...	Do. of { Jhujjur, ...	Hurjeewun Lall, ...	9	...	96	62	21	8	16	10
	Do. of { Gohana, ...		...	...	119	80	13	7	19	13
" " " " ..	Do. of { Gohana, ...	Imdad Ali, ...	5	24	86	21	19	12	25	6
	Do. of { Rohtuk, ...		...	...	80	99	8	11	15	...
" " " " ...	Off'g. do of { Gohana, ...	Mool Chund, ...	...	...	11	10	6	5	4	26
	Off'g. do of { Jhujjur, ...		2	8	43	25	17	11	38	
" VI 2nd Grade, ..	Naib do. of Sampla, ...	Mool Chund, ...	6	6	55	1	11	13	14	9
" " " " ...	Do. of Jhujjur, ...	Kurreemooddeen, ...	4	16	52	6	5	5	6	12
		Sirsa District.								
	Deputy Commissioner, ...	Lt. Coll H A Dwyer, ...	1	13	4	34	78	31	37	36
Section XI Act XIX of 1865, ...		Mr. J. H. Oliver, ...	9	16	28	199	28	41	30	2
" " " ...	Extra Assistant Commissioner, ...	Mehtab Singh, in charge of Fazilka out-post, ..	4	15	28	45	43	20	13	6
" " " ...	Extra Assistant Commissioner, ...	Mithun Lall, in charge Fazilka post, ...	6	16	92	192	25	21	29	15
" " " ...	Assistant Commissioner, ...	Mr. T E Ellison, ...	9	15	158	97	24	26	29	17
" V 1st Grade, ...	Tahseeldar of Sirsa, ...	Summun Lall, ...	11	..	303	188	15	18	23	27
" " " ...	Do. Sohowala, ...	Jeewun Ram, ...	9	15	108	43	22	21	20	11
" " " ...	Do. do.	Saheb Dyal, ...	1	15	6	2	12	10	...	5
" " " ...	Do. Fazilka, ...	Jeewun Ram, ...	1	15	15	7	31	22	28	14
" " " ...	Do. do, ...	Saheb Dyal, ...	...	19	...	...	...	..	..	..
" " " ...	Do. do, ...	Taleb Allie, ...	3	15	75	44	13	17	16	14
" VI 2nd Grade, ...	Naib " Sirsa, ...	Dowlut Ram, ...	7	27	62	11	8	10	10	7
" " " ..	" Sohowala, ...	Busunt Lall, ...	5	12	16	5	23	12	4	3
" " " ...	" Do.	Busunt Lall, in charge Tahsil Fazilka, ...	2	15	13	13	5	40	11	6

UMBALLA DIVISION.

			Umballa District.								
Section XI Act XIX of 1865,	Deputy Commissioner,	Captain J. S. Tighe,	11	...	25	172	...	...	182	2
" X " Full powers,	Assistant Commissioner,	Major C. V. Jenkins,	6	...	17	...	17	35	53	2
" " " "	Ditto,	Lieutenant H. Grey,	3	15	25	8	40	32	47	8
" " " "	Assistant Commissioner,	Mr. C. R. Hawkins,	...	...	...	3	...	...	...	...
" " " "	Extra Assistant Commissioner,	Mr. G. Thomson,	10	15	474	198	22	20	34	47
" " " "	Ditto,	Madhopershad,	11	...	744	581	21	22	27	67
" " " "	Ditto,	Mahsoom Alli,	9	19	521	280	13	14	23	57
" VIII " Special,	Assistant Commissioner,	Mr. E. H. Harrison,	...	...	...	52	...	...	...	...
" VII " Ordinary,	Do. do.,	Lieutt. W. J. Parker,	11	...	270	477	21	18	19	24
" V " "	Tahseeldar of Umballa,	Saadad Deen Khan,	11	...	281	263	26	16	32	25
" " " 1st Grade,	Do. Jugadhiri,	Burkut Ali,	11	...	903	895	12	12	16	82
	Do. Khurrur,	Mahomed Rusheed,	11	...	373	203	12	11	17	34
	Do. Roopur,	Ojagur Mull,	11	...	573	234	13	17	21	52
	Do. Narayangurh,	Ajoodhya Pershad,	11	...	312	179	20	22	26	28
" " " 2nd Grade,	Do. Peeplee,	Bahadoor Hossein,	11	...	457	289	15	12	24	41
" VI " "	Naib Tahseeldar of Umballa,	Golam Surwar,	6	15	74	54	20	19	30	11
" " " "	Do. do.,	Nund Lall,	4	15	100	79	17	13	26	24
" " " "	Do. Jugadhiri,	Nund Lall,	6	15	92	18	8	11	9	14
	Honorary Civil Judges,	Sirdar Jewun Singh Boorea,	11	...	184	146	8	8	17	16
	Ditto,	Sirdar Purtab Singh *Kheradwa*,	11	...	247	109	10	8	17	22
	Ditto,	Sirdar Rai Kishen Singh, Raipur,	11	...	71	24	27	15	17	6
	Ditto,	Sirdar Bhughwan Singh, *Sohana*,	11	...	31	23	30	11	12	2
	Ditto, 2nd class,	Rajah Bhugwan Singh, *Manee Majra*,	3	16	35	1	5	6	10	10
Act XXII of 1864, Full powers up to Rs. 500,	Cantonment Court of Small Causes,	Captain E. A. C. Lambert,	10	...	1,272	709	8	8	7	127
Ordinary,	Ditto,	Do. Robertson, Officiating,	1	...	92	49	4	8	4	92
		Loodianah District.								
Section XI Act XIX of 1865,	Deputy Commissioner,	Mr. C. P. Elliott,	9	...	30	58	...	10	11	3
" " "	Officiating Deputy Commissioner,	Mr. T. W. H. Tolbort,	1	5	6	12	...	12	44	5
" X " Full powers,	Assistant Commissioner,	Mr. T. Roberts,	9	7	154	69	8	11	13	17
" " " "	Assistant Commissioner,	Captain C. Bayley,	3	24	132	45	10	6	11	43
" " " "	Ditto,	Mr. T. W. H. Tolbort,	1	20	37	...	13	11	9	32
" " " "	Ditto,	Mr. H. W. Steel,	6	7	373	122	16	13	26	61
" " " "	Extra Ditto,	Mr. E. W. Parker,	2	24	10	4	...	...	13	4
" " " Ordinary,	Do. Ditto,	Rai Moonna Lall,	10	...	527	389	20	9	24	52
" V " 1st Grade,	Tahseeldar of Loodianah,	Mr. G. S. Pollock,	11	...	110	243	14	16	21	10
" " " "	Do. Sumrala,	Salamut Ally,	11	...	402	271	14	21	23	36
" " " "	Do. Jugraon,	Radha Kishen,	10	15	601	415	17	12	29	60
" " " 2nd Grade,	Naib Do. Loodiana,	Chatter Singh,	7	...	40	23	8	13	13	6
" " " "	Do. do.	Kuttuboodeen,	2	...	3	...	...	8	...	1
" " " "	Naib Do. Sumrala,	Ditto,	9	...	292	143	11	8	11	32
" " " "	Do. Jugraon,	Pholoo Mull,	11	...	372	123	15	12	15	34
	Honorary Civil Judge,	Sirdar Ottum Singh,	11	...	95	20	8	22	6	8
	Ditto,	Sirdar Mit Singh,	7	...	36	3	14	11	13	5
	Ditto,	Sirdar Hakeekut Singh,	11	...	55	4	11	11	16	5
	Ditto,	Sirdar Buddun Singh,	4	...	30	1	4	7	7	7
Act XI of 1865,	District Judge of Small Causes,	Mr. T. W. Tolbort,	11	...	2,635	1,232	18	13	17	239

APPENDIX XII—*(Continued.)*

Powers	Description of Office	Names of Officers.	Period of service during the year. M	Period of service during the year. D.	Number of *Original* cases disposed of.	Number of *Miscellaneous* cases disposed of.	Average duration of: Cases struck off, &c.,	Average duration of: Do. Uncontested in Court.	Average duration of: Do. Contested in Court	Average number of cases disposed of per mensem.
		SIMLA DISTRICT.								
Section XI, Act XIX of 1875,	Deputy Commissioner.	Mr D C Macnaib.	9	6	11	71	...	19	14	1
" X " Full powers,	Offg Deputy Commissioner,	Captain E P Gordon,	2	25	13	40	..	74	114	5
" " " "	Asst. do,	Ditto,	12	..	56	19	30	52	34	4
" VIII " "	Do do,	Mr. J. D Tremlett,	11	20	335	119	31	11	12	30
" " " "	Do. do,	Mr T Roberts.	...	11	17	...	.	23	14	46
" VII " Ordinary.	Do do,	Lieutenant G C Napier,	4	6	30	13	25	54	19	7
" " " 1st Grade,	Extra Asst. do.	Mr. E W Parker,	5	22	141	44	57	25	27	27
" VI " Up to Rs. 300,	Naib Tahseeldar, Burrowlee.	Ecree Singh.	12	...	46	6	42	24	28	3
" " " "	Do Kotkhaee.	Bhujun Singh,	12	...	79	4	6	7	9	6
Act XI of 1865, ...	District Judge of Small Causes,	Captain E. P Gordon,	12	...	1,128	868	28	6	24	94
		JULLUNDHUR DIVISION.								
		JULLUNDHUR DISTRICT								
Section XI Act XIX of 1865,	Deputy Commissioner,	Mr G R Elsmie,	7	15	1	111	123	...	...	...
" " "	Ditto,	Major C H. Hall,	2	7	...	132	.	...	...	...
" " "	Ditto,	Mr F. E. Moore,	1	10	1	66	398	...	...	1
" X " Full powers,	Assistant Commissioner,	Do do..	...	19	..	...	..	..	...	...
" " " "	Ditto,	Captain A Harcourt,	8	11	279	112	35	35	42	34
" " " "	Ditto,	Do. R T. Hare,	3	13	5	...	.	89	63	1
" " " "	Ditto,	Mr. J H Penn.	11	..	51	49	57	28	67	4
" " " "	Extra Assistant Commissioner,	Mr E. W Parker.	...	18	21	...	18	23	23	35
" " " "	Ditto,	Syud Hadee Hosen Khan,	8	13	200	189	42	41	56	24
" " " "	Ditto,	Pundit Motee Lall,	11	...	909	969	32	34	43	90
" " " Ordinary,	Ditto.	Mr A Marshall	11	..	361	596	27	28	40	33
" V " 1st Grade,	Tahseeldar of Nawashahur,	Maulair Hisamoodeen,	6	17	703	382	23	22	39	116
" " " "	Do. do,	Akbur Khan,	4	14	529	269	20	20	37	181
" " " "	Do. Phillour,	Do. do,	6	7	699	495	13	12	19	116
" " " "	Do. do,	Dassmull,	4	15	601	278	17	18	25	150
" " " "	Do. Nakodur,	Oodeyram,	10	12	551	263	14	11	18	54
" VI " "	Do. Jullundhur	Fateh Din Khan,	11	...	88	45	20	20	25	8
" " " 2nd Grade,	Naib " Nakodur,	Assaram,	10	20	666	217	12	11	21	66

" VI " 2nd Grade,	Naib Tahseeldar of Phillour,	Assa Ram,	...	11	105	54	22	18	32	286
" " " "	Do. do.,	Luchmee Chund,	...	6	14	13	27	11	42	70
" " " "	Do. Nawashahur,	Do. do.,	3	24	397	37	13	21	33	99
	Do. Jullundhur,	Ahmud Khan,	1	15	...	...	...	...	...	...
Act XI of 1865,	District Judge of Small Causes,	Mr J H. Penn,	11	...	3,180	1,601	6	6	7	289
" XXII of 1864,	Cantonment, Do do.,	Major J. C. Millar,	11	...	654	293	5	5	8	59
		HOOSHYARPOOR DISTRICT.								
Section XI Act XIX of 1865,	Deputy Commissioner,	Mr. H E Perkins,	9	15	49	18	7	6	15	5
" " "	Officiating Deputy Commissioner,	Mr. R W. Trafford,	1	20	13	...	9	2	21	9
" X " Full powers,	Assistant Commissioner,	Ditto,	11	...	548	295	25	30	31	49
" " " "	Extra Assistant Commissioner,	Mr A. K. Blackall,	9	...	451	579	40	28	36	50
" " " "	Ditto,	Diwan Dya Shunker,	8	12	672	284	23	23	18	82
" " " "	Ditto,	Sirdar Yar Mahomed Khan,	11		1,303	492	25	32	29	118
" VII " Ordinary,	Assistant Commissioner,	Lieutenant J. B Hutchinson,	...	20	46	8	12	10	13	69
" V " 1st Grade,	Tahseeldar of Hoshyarpoor,	Salig Ram,	5	10	352	147	11	10	14	70
" " " "	Do. do.,	Luchman Dass,	3	25	350	105	14	14	26	87
" " " "	Do of Oonah,	Ditto,	7	...	781	177	18	15	19	111
" " " "	Do. of do,	Sheopershad,	4	...	546	159	14	20	8	136
" " " "	Do. of Dussooah,	Dass Mull,	6	10	534	356	28	12	24	88
" " " "	Do. of do,	Salig Ram,	4	20	632	428	30	17	17	106
" " " "	Do. of Gurshunker,	Sheopershad,	6	23	403	124	11	11	18	57
" " " "	Do. of do,	Hissamoodeen,	4	23	418	204	13	22	26	83
" " " 2nd Grade,	Naib Do. of Hooshyarpoor,	Ahmed Shah,	7	...	616	225	11	10	21	88
" " " "	Do. of Umb,	Naraun Dass,	11	...	584	96	11	7	11	53
" " " "	Do of Dussooah,	Jummyut Rai,	9	...	953	381	10	5	10	106
	Do. of Gurshunker,	Salig Ram,	...	12	16	..	8	11	...	40
Act XI of 1865,	District Judge of Small Causes,	Mr. A J S. Donald,	11	...	3,856	1,938	8	7	7	350
		KANGRA DISTRICT.								
Section XI Act XIX of 1865,	Deputy Commissioner,	Major E H Paske,	11	...	24	276	28	28	25	2
" X " Full powers,	Assistant Commissioner,	Mr. W Cockburn,	9	.	74	58	41	19	26	8
" " " "	"	Mr W M Young,	11	...	47	23	27	12	17	4
" " " "	"	Mr C M Rivaz,	1	...	11	...	18	41	8	11
" " " "	Extra Assistant Commissioner,	Ameen Chund,	.	17	6	15	77	25	10	10
" VIII " Special,	Assistant Commissioner,	Lieutenant H Lawrence,	5	28	165	29	11	15	21	27
" " " Ordinary	Extra Assistant Commissioner,	Rajah Hameedoollah Khan,	11	.	572	304	9	6	13	52
" V " 1st Grade,	Tahseeldar of Kangra,	Bahaoodeen,	9	22	445	116	17	17	14	44
" " " "	Do. do,	Pohlo Mull,	1	8	55	27	20	32	18	43
" " " "	Do. Dera,	Bahaoddeen,	1	6	68	55	19	17	49	56
" " " "	Do. Noorpoor,	Salig Ram,	7	...	269	138	20	19	35	38
" " " "	Do. do,	Charunjeet Lall,	3	28	272	128	26	23	26	68
" " " "	Do. do,	Pholoo Mull,	...	2	1	...	...	9	...	15
" " " "	Do Humeerpoor,	Dewan Ram Nath,	...	25	5	4	18	...	15	5
" " " "	Do. do.,	Shib Dyal,	3	...	120	19	22	19	18	40
" " " "	Offg. Do. do,	Nund Lall,	7	15	169	77	10	14	19	22
" " " "	Do. Dehra,	Lalljee Mull,	1	...	25	21	35	15	17	25

APPENDIX XII—(*Continued.*)

Powers.	Designation of Office.	Names of Officers.	Period of service during the year. M.	Period of service during the year. D.	Number of *Original* cases disposed of.	Number of *Miscellaneous* cases disposed of.	Average duration of: Cases struck off, &c.	Average duration of: Do. uncontested in Court.	Average duration of: Do. contested in Court.	Average number of cases disposed of per mensem.
Section V Act XIX of 1865, Ordinary, ...	Tahseeldar of Dehra, ...	Lall Singh, ...	7	...	386	285	18	21	17	55
" " " " ...	Do. do., ...	Sain Dass, ...	1	27	112	35	43	12	35	56
" " " " ...	Tahseeldar of Kooloo, ...	Kahn Chund, ...	11	...	247	97	9	11	11	22
" " " 2nd Grade, ...	Naib Do. of Palumpoor, ...	Mahomed Ally, ...	8	1	377	123	30	32	20	47
" " " " ...	" Do. do., ...	Nund Lall, ...	...	11	4	12	17	14	..	10
" " " " ...	" Do. do., ...	Kirpa Ram, ...	1	23	69	23	55	16	11	34
" " " " ...	" Do. do., ...	Pohloo Mull, ...	...	19	61	42	29	23	33	96
" " " " ...	" Do. Plach, ...	Nund Lall, ...	3	...	31	5	12	14	12	10
" VI " " ...	" Do. do., ...	Kirpa Ram, ...	7	18	49	6	10	11	18	6
" " " " ...	" Do. Kangra, ...	Pohloo Mull, ...	7	4	202	133	12	15	28	28
" " " " ...	Offg. " Humeerpoor, ...	Meean Pirthee Singh, ...	...	19	11	3	16	15	...	17
" " " " ...	Naib " Noorpoor, ...	Sain Dass, ...	...	22	34	29	20	8	10	46
" " " " ...	Honorary Civil Judge, ...	Sirdar Raja Jodhbeer Chund, ...	11	...	115	112	28	22	28	10
" " " " ...	Ditto, ...	Rajah Ram Singh, ...	11	...	86	37	29	8	12	7
	Honorary Extra Assistant Commissioner,	Meean Pirthee Singh, ...	4	19	3	...	...	9	...	...
		AMRITSUR DIVISION.								
		AMRITSUR DISTRICT.								
		Major H. B. Urmston, ...	5	11	9	204	...	234	125	1
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	Mr. Lepel Griffin, ...	2	23	1	69	...	...	18	...
" " " ...	Ditto, ...	Mr. D. Fitzpatrick, ...	1	3	2	38	...	20	166	2
" X " Full powers, ...	Assistant Commissioner, ...	Mr. C. Rivaz, ...	6	16	102	39	11	26	40	15
" " " " ...	Ditto, ...	Major F. M. Birch, ...	5	7	315	201	34	19	24	65
" " " " ...	Ditto, ...	Lieutenant Riddell, ...	...	23	2	44	18	26	...	1
" " " " ...	Ditto, ...	Mr. Bulman, ...	3	3	133	141	29	43	33	64
" " " " ...	Extra Assistant Commissioner, ...	Mr. T. C. Vaughan, ...	6	27	172	523	16	23	29	24
" " " " ...	Do. ditto, ditto, ...	Aghakulbi-abid, ...	7	12	725	329	24	21	22	98
" VIII " Special, ...	Extra Assistant Commissioner, ...	Kaim Allee, ...	...	14	1	...	32	...	...	2
" " " " ...	Assistant Ditto, ...	Lieutenant G. McPherson, ...	4	5	470	388	37	33	53	117
" " " " ...	Extra Assistant Commissioner, ...	Alla Dad Khan, ...	2	8	410	32	13	8	22	220
" " " " ...	Ditto, ...	Mahomed Hyat Khan, ...	...	7	33	14	23	14	18	141
" V " Ordinary, ...	Tahseeldar of Umritsur, ...	Gobind Sahaie, ...	6	27	281	71	18	25	25	40
" " " 1st Grade, ...	Do. of Ajnala, ...	Hidayut Allee, ...	7	2	937	299	24	23	24	132

" V " " ...	Tahseeldar of Turn Tarun, ...	Mehr Chund, ...	7	24	640	367	41	24	38	80
" " " " ...	Do of Buttala, ...	Mr. Abdool Athim, ...	8	9	2,375	1,467	23	26	24	286
" " " " ...	Officiating Tahseeldar of Ajnalla, ...	Bishumber Dass, ...	1	14	145	69	19	14	25	98
" VI " 2nd grade, ...	Naib Tahseeldar of Umritsur, ...	Bishumber Dass, ...	6	19	237	100	20	26	24	35
" " " " ...	Do. of Buttala, ...	Bishumber Dass, ...	...	6	15	..	31	26	39	75
	Do. of Turn Tarun, ...	Sirdar Soochyet Singh, ...	8	16	774	225	31	26	39	90
	Honorary Civil Judge Raja Sansee, ..	Sirdar Shumshere Singh, ...	7	15	397	219	19	12	18	53
	Naib Ditto, ditto, ..	Baba Sadhoo Singh, ...	7	11	143	63	35	24	39	19
Act XI of 1865, ...	District Judge of Small Causes, ...	Mr. C Roe, ...	...	15	175	73	4	2	9	350
" ...	Ditto, ...	Mr Vaughan, ...	...	9	90	49	8	5	12	300
" ...	Ditto, ...	Lieutenant H. V. Riddell, ...	1	17	544	312	7	5	11	347
" ...	Ditto, ...	Mr C Rivaz, ...	2	3	786	393	10	12	19	393
" ..	Ditto, ...	Mr. G. Ryall, ...	4	6	2,835	1,389	15	13	16	675
		GOORDASPOOR DISTRICT.								
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	Major W G Davies, ...	12	..	17	36	2	12	46	1
" X " Full powers, ...	Assistant Commissioner, ...	Major F J Millar, ...	12	...	185	43	9	13	20	15
" " " " ...	Ditto, ...	Mr J. Frizelle, ...	3	12	132	113	17	15	22	38
" " " " ...	Ditto, ...	Lieutenant E G Wace, ...	...	16	3	2	14	76	...	5
" " " " .	Ditto, ...	Mr A W Stogdon, ...	7	13	331	757	29	27	44	44
" " " " ...	Extra Assistant Commissioner, ...	Kaim Alli, ...	10	3	477	356	26	29	39	47
" VII " Ordinary, ...	Assistant Commissioner, ...	Lieutenant J. B. Hutchinson, ...	7	6	394	47	26	22	31	40
" V " 1st grade, ...	Tahseeldar of Goordaspoor, ...	Humeed Alli, ...	12	...	480	...	15	17	17	40
" " " " ...	Do. Pathankote, ...	Bunseedhur, ...	11	15	243	487	28	25	42	21
" " " " ...	Do. do., ...	Tajoodeen, ...	...	15	11	...	11	7	13	22
" " " " ...	Do. Shukergurh, ...	Ditto, ...	11	15	563	157	19	16	33	50
" " " " ...	Do. do., ...	Abdool Wahid, ...	...	11	33	...	36	20	40	90
" VI " 2nd grade, ...	Naib Do. Goordaspoor, ...	Mahomed Khan, ...	10	9	382	550	20	20	33	38
" " " " ...	Do. Do. Shukergurh, ...	Ditto, ...	1	21	81	..	19	16	24	40
" " " " ...	Do. Pathankote, ...	Madhoram, ...	11	...	181	113	21	15	36	16
	Do. Shukergurh, ...	Rushk Beharee Lall, ...	7	23	377	151	21	16	29	47
	Do. Goordaspoor, ...	Ditto, ...	1	7	95	...	20	19	29	77
		SEALKOTE DISTRICT.								
	Deputy Commissioner, ...	Lieutenant Colonel T. W. Mercer, ...	10	19	9	82	..	19	38	...
Section XI Act XIX of 1865, ...	Officiating Do, ...	Captain E C. Corbyn, ...	...	11	12	...	...	19	.	5
" X " Full powers, ...	Assistant Do., ...	Ditto, ...	10	19	348	795	20	34	49	31
" " " " ...	Assistant Commissioner, ...	Mr F. D O Bullock, ...	3	..	212	104	17	13	18	70
" " " " ..	Ditto, ...	Lieutenant H. Wood, ...	...	15	10	...	15	14	15	20
" " " " ...	Extra Assistant Commissioner, ...	Wuzeer Alli, ...	11	...	1,005	602	25	27	26	91
" VII " Ordinary, ..	Assistant Commissioner, ...	Lieutenant H. Lawrence, ...	5	...	187	68	11	20	10	37
" " " " ..	Ditto, ...	Lieutenant E. R. Conolly, ...	9	28	174	53	19	20	15	17
" V " 1st grade, ..	Tahseeldar of Sealkote, ...	Hurgoo Lall, ...	11	...	688	12	13	14	18	62
" " " " ...	Do. Rayah, ...	Sooruj Sum, ...	11	..	1,220	528	20	19	36	110
" " " " ...	Do. Pusroor, ...	Abdul Wahid, ...	5	11	258	255	21	18	27	48
" " " " ..	Offg do. do., ...	Ufsud Alli, ...	1	24	128	336	20	15	31	64
" " " " ...	Do do, ...	Jawahir Lall, ...	3	15	339	216	16	17	19	96
" " " " ...	Do. do, ...	Tajoodeen, ...	...	10	8	...	10	11	...	24
" " " " ...	Do. Zufferwal, ...	Luchmee Sahai, ...	8	14	881	564	17	18	18	14

APPENDIX XII.—(*Continued.*)

Powers.	Designation of Office.	Names of Officers.	Period of service during the year. M.	Period of service during the year. D.	Number of *Original* cases disposed of.	Number of *Miscellaneous* cases disposed of.	Average duration of: Cases struck off, &c.	Average duration of: Do. uncontested in Court.	Average duration of: Do. contested in Court.	Average number of cases disposed of per mensem.
Under Sec. V Act XIX of 1865, 2nd grade,	Naib Tahseeldar Sealkote, ...	Ufzul Alli, ...	9	6	477	336	12	15	20	51
" " " " ...	Do. Reyah, ...	Roop Kishore, ...	7	15	423	233	28	20	29	56
" " " " ...	Do. Pusroor, ...	Oomaid Singh, ...	7	15	274	181	16	23	23	36
" VI " " ...	Naib do. Zufferwal, ...	Mehtab Rai, ...	2	13	207	102	13	8	22	85
" " " " ...	Do. do.	Natha Mull, ...	3	5	126	..	6	13	11	39
" " " " ...	Do. Duska, ...	Iltaf Alli, ...	11	...	1,246	666	8	8	9	113
" " " " ...	Honorary Civil Judges, (Board of Magistrates)	Bawul Bux and Hakim Singh, Zaildars, ...	...	15	7	...	...	3	5	14
Act XI of 1865, ...	Cantonment Judge of Small Causes, ...	Major J Norgate	2	21	170	78	9	16	16	63
" "	Ditto, ...	Captain M. Ramsay.	8	9	772	383	6	3	4	93
		LAHORE DIVISION.								
		LAHORE DISTRICT.								
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	Mr J W Smith.	10	...	12	75	125	147	94	1
" " " ...	Do. do., ...	Mr. B H Powell, ...	1	...	1	11	..	...	21	1
" X " Full powers, ...	Assistant do., ...	Mr. C B Hawkins, ...	10	23	318	532	38	25	29	29
" " " " ...	Do. do., ...	Mr F P Beacheroft.	11	...	215	221	42	28	29	19
" " " " ...	Assistant Commissioner, ...	Lieutenant C. H T. Marshall, ...	11	..	226	97	25	22	36	20
" " " " ...	Do. do, ...	Mr. J Frizelle.	1	26	...	...	...	...	...	...
" " " " ...	Do. do., ...	Mr F W. B Fryer, ...	3	27	218	151	7	12	15	54
" " " " ...	Extra Asst. do., ...	Mr. G J Ryall	5	20	11	7	..	22	18	2
" " " " ...	Extra Asst. do., ...	Mr. E. W. Parker.	1	20	12	56	34	35	1	7
" " " " ...	Extra Asst. do., ...	Moonshee Jyshee Ram.	8	...	846	378	10	8	21	105
" " " " ...	Honorary Civil Judge.	Dewan Baij Nath.	11	...	207	154	7	6	9	19
" VII " Ordinary, ...	Assistant Commissioner, ...	Lieutenant C E. Macaulay, ...	5	3	211	152	44	20	33	41
" V " 1st grade, ...	Tahseeldar Lahore, ...	Burkut Alli Khan.	11	..	472	258	21	19	16	43
" " " " ...	Do Chooneean, ...	Dhunput Rai, ...	5	13	253	82	21	19	25	46
" " " " ...	Do. Kussoor.	Salig Ram, ...	11	...	671	528	20	12	16	61
" " " " ...	Do. Chooneean.	Kadir Bux.	5	10	412	86	25	24	29	77
" " " " ...	Offg. Do. Shurrukpore, ...	Lehna Singh.	10	23	385	62	21	19	24	35
" " " " ...	Do. do., ...	Budree Nath.	2	22	174	41	14	13	9	63
" " " " ...	Do. Chooneean, ...	Agah Mahomed, ...	...	10	14	...	...	31	..	42
To try cases up to Rs 500, ...	Honorary Civil Judge, ...	Kahn Singh, ...	9	7	86	33	19	23	30	9

Act XI of 1865,	District Judge of Small Causes,	Mr. B. H Powell,	10	5	3.917	354	15	13	13	385
"	Ditto,	Mr. J. Frizelle,	...	25	435	145	10	7	9	522
	Cantonment, Ditto,	Captain A. Stewart,	11	...	1,257	708	8	3	3	114
		GOOJRANWALLA DISTRICT.								
Section XI Act XIX of 1865,	Deputy Commissioner,	Major H. P. Babbage.	9	8	54	239	13	22	35	5
" " " "	Ditto,	Mr. Arthur Brandreth;	1	22	...	20	...	...	...	...
" X " Full powers,	Assistant Commissioner,	Major H P. Babbage.	1	22	21	71	13	7	9	12
" " " "	Ditto,	Mr. F. D. D. Bullock.	5	14	143	512	10	29	20	26
" " " "	Extra Assistant Commissioner,	Lieutenant H V. Riddell,	1	17	30	211	8	11	18	6
" VIII " Special,	Assistant Commissioner,	Zahoorooddeen,	11	...	318	521	17	15	17	29
" V " 1st Grade,	Tahseeldar of Goojranwalla,	Lieutenant G. C. Napier,	1	28	35	177	16	13	19	18
" " " "	Do. Hafizabad.	Morad Alli,	9	25	454	243	44	19	13	46
" " " "	Do. Wazeerabad.	Urjoomund,	5	...	230	607	7	10	6	46
" " " 2nd Grade,	Naib Do. Goojranwalla,	Gowree Shunker,	10	7	344	1,819	25	19	24	33
" " " "	Do. Wuzeerabad,	Mahomed Ushruff,	11	...	532	479	28	15	16	48
" " " "	Do. Hafizabad.	Juggut Kishore,	11	...	698	286	19	15	18	63
" VI " "	Do. Goojranwalla,	Umur Nath,	11	...	385	201	16	11	16	35
" " " "	Offg Tahseeldar Hafizabad,	Budree Nath,	2	...	76	...	16	14	18	38
" " " "	Rukh Darogah do.,	Desraj.	6	...	275	35	13	16	11	46
" " " Special,	Honorary Civil Judge Botaila,	Sarn Dass,	6	...	39	10	35	16	30	6
" " " "	Do. do, Ukalgurh,	Sirdar Jhunda Singh,	11	...	414	162	16	12	13	37
		Dewan Davee Dyal,	6	14	422	767	36	8	11	65
		FEROZEPOOR DISTRICT.								
Section XI Act XIX of 1265,	Deputy Commissioner,	Major P. Maxwell,	1	6	...	...	...	...	...	...
		G Knox Esquire.	9	9	15	29	..	57	30	1
" X " Full powers,	Assistant Commissioner,	G. E. Wakefield Esquire,	11	...	217	68	58	29	52	19
" " " "	Ditto,	Lieutenant R. S Armstrong,	5	27	244	190	20	24	23	41
" VIII " Special,	Ditto.	Mr. H. St. G. Tucker,	...	20	32	8	85	19	15	48
" " " "	Extra Assistant Commissioner,	Nasir Ali,	10	...	701	725	17	18	35	70
" " " "	Ditto,	Mahomed Hyat Khan,	5	12	396	497	6	11	9	73
" VII " Ordinary,	Tahseeldar of Ferozepoor,	Mahomed Hyat Khan,	3	...	142	220	24	17	19	47
	Do. Mokutsur,	Hussun Shah,	1	5	42	29	30	29	38	36
	Do. Zeerah.	Nizamooddeen,	11	...	881	657	31	22	21	80
" " " 1st Grade.	Do. Mogah,	Goordial Singh,	4	13	301	123	29	25	25	67
	Do. Ferozepore,	Goordial Singh,	5	18	342	379	14	8	47	61
	Do. do.,	Dhunput Roy,	...	28	60	16	27	26	39	60
	Do. Mokutsur,	Dhunput Roy,	1	20	59	...	53	52	17	35
	Do. Ferozepore,	Ghuzunfur Alli,	1	...	1	...	...	5	...	1
	Do. Mokutsur,	Ghuzunfur Alli,	4	28	256	57	26	13	23	51
" " " 2nd Grade,	Do. Mogah.	Ghuzunfur Alli,	5	18	366	146	23	23	20	65
	Do. Mokutsur,	Jawahir Lall,	3	28	117	114	41	23	21	29
	Naib do. Ferozepoor,	Jawahir Lall,	7	2	274	434	20	25	35	39
" " " "	Naib Tahseeldar Mogah,	Elahie Buksh,	11	...	482	118	18	15	19	43
" " " "	Ditto, Zeerah,	Gholam Kassim,	3	21	153	67	24	15	14	41
" " " "	Ditto, Mokutsur,	Gholam Kassim,	7	9	171	45	42	19	7	18
" " " "	Ditto, do.,	Sohun Lall,	3	21	87	37	27	20	10	47
" " " "	Ditto, Zeerah,	Sohun Lall,	7	9	156	103	27	12	22	21

Powers.	Description of Office.	Names of Officers.	Period of service during the year. M.	Period of service during the year. D.	Number of *Original* cases disposed of.	Number of *Miscellaneous* cases disposed of.	Average duration of: Cases struck off, &c.,	Average duration of: Do. Uncontested in Court.	Average duration of: Do. Contested in Court	Average number of cases disposed of per mensem.
	Honorary Civil Judge, ...	Futteh Singh, ...	4	15	19	2	23	13	1	4
	Cantonment Judge of Small Causes, ..	Captain R G L Crutchley, ...	3	...	201	136	3	5	7	67
	Ditto Ditto, ...	Lieutenant H V. Riddell, ...	4	...	280	159	10	4	6	70
Act XXII of 1864, ...	Cantonment Ditto, ...	Captain R. G. Hennessey, ...	4	...	289	120	5	3	5	72
		RAWUL PINDEE DIVISION.								
		RAWUL PINDEE DISTRICT.								
Section XI Act XIX of 1865, ..	Deputy Commissioner, ...	Major C H Hall.	8	6	10	13	14	14	14	1
		R T Burney Esquire, ...	1	26	1	2	...	...	1	...
" " " ...	Ditto, ...	Major H B. Urmston, ...	1	...	...	...	...	...	.	...
" X " Full powers, ...	Assistant Commissioner, ...	R. T Burney Esquire, ...	7	24	483	110	12	13	14	61
" " " " ...	Ditto, ...	F W. R Fryer. Esquire, ...	4	15	99	16	11	10	13	22
" " " " ...	Ditto, ...	Lieutenant R P. Nisbet, ...	7	26	383	266	12	17	12	48
" " " " ..	Ditto, ...	E H Harrison Esquire, ...	6	...	293	505	20	16	20	48
" " " " ...	Extra Assistant Commissioner, ...	J. G. Delmerick Esquire, ...	11	...	414	79	18	16	18	37
" " " " ...	Dito, ...	Hookum Chund, ...	7	16	232	136	25	31	23	30
" " " " ...	Dito, ...	Zoolficar Ali.	3	15	19	36	52	67	70	5
" VIII " Special, ...	Assistant Commissioner, ...	E H Harrison Esquire, ...	4	9	179	352	20	13	17	41
" VII " Ordinary, ...	Ditto.	E B Peacock Esquire, ...	10	10	551	105	9	6	10	53
" " " 1st grade, ...	Tahseeldar of Rawul Pindee, ...	Mehndee Khan, ...	...	18	8	1	4	8	3	13
" " " " ...	" " Do., ...	Alladad Khan.	7	13	348	134	9	10	12	46
" " " " ...	" " Do., ...	Bucktawur Lall, ...	3	...	71	37	21	24	42	23
" V " " ...	Tahseeldar of Pindeegheb, ...	Goolab Roy, ...	10	7	377	95	22	20	25	36
" " " " ...	Do Futtehjung, ...	Sooruj Koul, ...	3	...	56	41	12	10	15	18
" " " " ...	Do. Attock, ...	Doorga Pershad,, ...	11	...	424	184	22	18	19	38
" " " " ...	Do. Goojur Khan, ...	Umrukh Singh, ...	7	26	187	53	14	16	29	23
" " " " ...	Do. do., ...	Ahmed Khan, ...	11	...	305	65	14	12	16	27
" " " " ...	Do. Kahoota, ...	Talib Ali, ...	1	...	7	7	8	15	12	7
" " " " ...	Do. do, ...	Sahib Dyal, ...	7	11	123	32	18	13	16	16
" " " " ...	Do. Murree, ...	Gunput Roy, ...	12	...	686	230	13	10	14	57
" " " 2nd grade, ...	Naib do. Rawul Pindee, ...	Ram Dass.	11	...	220	134	14	16	23	20
" " " " ...	Do. Attock.	Kirpal Singh, ...	11	..	143	20	9	22	20	13
" " " " ...	Do. Futtehjung, ...	Kishen Dyal, ...	10	12	233	75	13	12	14	22

" V " " ...	Tahseeldar of Lodhran, ...	...	Rahim Shah, ...	...	2	15	26	12	20	6	26	10
" " " " ...	Do. do, ..	...	Ultaff Hussein, ...	...	1	17	32	...	15	5	17	20
" " " " ...	Do. Mylsi, ...	...	Nuthan Lall, ...	...	3	10	126	14	20	11	16	38
" " " " ...	Do. do., ...	...	Rehim Shah. ...	...	7	21	211	27	10	11	24	27
" " " " ...	Do. Saraie Sidhu,	...	Sadiq Mohomed Khan, ...	...	7	12	103	14	23	13	52	13
" " " " ...	Do. do., ...	...	Ultaff Hussein, ...	...	2	13	56	17	26	9	18	23
" " " 2nd Grade, ...	Do. Mooltan, ...	...	Ferozeeuddin, ...	...	2	14	175	99	39	27	31	70
" " " " ...	Do. Saraie Sidhu, Officiating.	...	Jey Gopal, ...	...	1	17	27	...	29	10	17	17
" VI " " ...	Do. Naib Tahseeldar Shujabad,	...	Hakim Roy, ...	...	8	10	134	11	20	12	19	16
" " " " ...	Do. Lodhran, ...	...	Jey Gopal, ...	...	4	13	42	2	20	7	17	9
" " " " ...	Do Mylsi, ..	...	Heera Nund, ...	...	7	...	85	10	13	13	...	12
Act XXII of 1865, ...	Cantonment Judge of Small Causes,	...	Captain C. Beadon, ...	...	11	...	585	429	6	5	8	53
			JHUNG DISTRICT.									
			Major R J D. Ferris, ...	...	9	...	15	53	19	18	51	1
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	...	Colonel W. Paske, ...	...	3	...	13	25	...	14	26	4
" X " Full powers, ...	Extra Assistant Commissioner,	...	Fuzzul Hoossein, ...	...	1	11	...	4	..	...	...	...
" " " " ...	Ditto, ...	...	Gopal Sahay, ...	...	9	19	491	218	18	19	22	50
" VIII " Special, ...	Ditto, ...	...	Mr. E W. Garbett, ...	...	10	...	489	351	19	15	25	48
" V " Ordinary, ...	Tahseeldar of Jhung, ...	...	Raheem-ood-deen, ...	...	11	...	414	141	11	14	18	37
" " " 1st Grade, ...	Do. Chinote, ...	...	Fuzul Hossein, ...	...	11	...	433	179	14	12	22	39
" " " " ...	Do. Shorkote, ...	...	Thakoordass, ...	...	8	5	240	112	17	16	37	29
" " " " ...	Do. do., ...	...	Lutchmee Narayan, ...	...	2	26	113	41	12	9	15	39
" " " 2nd Grade, ...	Naib do. Jhung, ...	...	Jus Ram, ...	...	11	...	450	110	10	9	13	40
" " " " ...	Do. Chinote, ...	...	Kootub Deen, ...	...	8	23	381	81	15	7	20	43
" " " " ...	Do. Shorkote, ...	...	Assa Nund, ...	...	11	...	362	138	15	12	19	33
			MONTGOMERY DISTRICT.									
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	...	Mr W. E. Blyth, ...	...	10	17	...	166	...	...	...	...
" " " "	Officiating Deputy Commissioner,	..	Mr. C. A. Roe, ...	...	1	...	...	...	...	...	...	...
" X " Full powers, ...	Assistant Commissioner, ...	...	Mr. M Champneys, ...	...	3	8	54	18	23	7	45	16
" " " " ..	Extra Assistant Commissioner,	...	Mr. J Goldney, ...	...	9	10	279	116	19	22	39	29
" " " " ..	Ditto ditto, ...	..	Syud Sultan Alli, ...	...	2	17	78	17	16	20	16	30
" VIII " Special, ...	Ditto ditto, ...	...	Mahomed Hyat Khan, ...	...	1	14	29	9	12	8	16	19
" V " Ordinary, ...	Tahseeldar of Montgomery,	...	Rooshun Beg. ..	...	3	...	85	25	19	15	24	28
" " " 1st Grade, ...	Do. Googaira, ...	...	Mobaruck Alli, ...	...	11	...	471	200	16	11	17	42
" " " "	Do. Hoojra, ...	...	Mahomed Yacoob Alli, ...	...	8	...	278	95	20	13	26	34
" " " " ...	Do. Pak Puttun,...	...	Neeamut Rae. ...	...	11	...	255	112	17	15	36	23
" " " " ...	Do. Montgomery,	...	Shekh Urjmund, ..	...	5	25	162	50	23	15	29	27
" VI " 2nd Grade, ...	Naib do. do., ...	...	Burkut Alli, ...	...	11	...	350	134	13	13	22	31
" " " " ...	Do. do, ...	...	Ukbur Ali, ...	...	1	6	1	3	...	1	.	...
" " " " ..	Do. Googaira, ...	...	Ram Lall, ...	...	11	...	326	126	15	11	19	29
" " " " ..	Do. Hoojra,		Ruttun Lall, ...	...	8	...	158	31	12	8	18	19
" " " " ...	Do. Pak Puttun,...	...	Rugonath Raie, ...	...	10	20	141	40	15	18	20	13
			MOOZUFFERGURH DISTRICT.									
			Major H J. Hawes, ...	...	4	...	13	63	31	10	33	3
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	...	Major J. Fendall, ...	...	4	26	59	63	11	10	25	12
" " " " ...	Ditto, ...	...	Mr. T. Burney, ...	...	...	4	...	15	.	...	...	...
" " " ..	Ditto. ...	...	Lieutenant C. E. Armstrong, ...	...	2	1	150	103	22	15	28	73
" X " Full powers, ...	Assistant Commissioner, ...	...	Ditto ditto, ...	...	6	30	589	258	21	16	25	84

APPENDIX XII—(*Continued.*)

Powers.	Designation of Office.	Name of Officer.	Period of service during the year. M.	Period of service during the year. D.	Number of *Original* cases disposed of.	Number of *Miscellaneous* cases disposed of.	Average duration of: Cases struck off, &c.	Average duration of: Do uncontested in Court.	Average duration of: Do contested in Court	Average number of cases disposed of per mensem.
Sec X Act XIX of 1865, Full powers, ...	Extra Assistant Commissioner, ...	Sohun Lall, ...	5	2	65	12	25	32	41	12
" VIII " Special, ...	Ditto, ...	Ditto, ...	5	28	117	31	21	31	32	19
" V " Ordinary, ...	Tahseeldar of Moozuffergurh, ...	Abdool Kadir, ...	3	..	32	4	11	9	16	11
" " " 1st Grade, ..	Do. do, ...	Luchmee Narain, ...	7	10	323	145	18	12	21	44
" " " " ...	Do. Alipoor, ...	Dhurm Dass, ...	9	16	515	193	15	16	22	54
" " " " ..	Do. Kote Uddu, ...	Gholam Mortuza, ...	2	14	75	14	12	12	17	30
" VI " " ...	Do. do, ...	Ferozeoodeen, ...	8	...	525	214	8	7	10	65
" " " " ...	Offg. do Alipoor.	Altaf Hussain, ...	1	14	138	32	12	11	14	94
" " " " ...	Do. Kote Uddu, ...	Basheer Ahmud, ...	...	17	15	5	3	6	5	26
" VI " 2nd Grade, ...	Naib do. Moozuffurgurh, ...	Do. do, ...	10	14	412	245	16	10	15	39
" " " " ...	Do. Alipoor, ...	Luchmun Dass, ...	1	8	4	...	.	6	..	8
" " " " ..	Do. Kote Uddu, ...	Mohun Lall, ...	11	...	302	74	13	6	13	27
" " " " ...	Do. Alipoor, ...	Sookhun Lall, ...	7	26	257	33	14	8	20	32
		DERAJAT DIVISION.								
		DERA ISMAEL KHAN.								
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	Major A A Munro, ...	7	...	20	20	25	10	38	2
" " " " ...	Offg do, ...	Lieutenant H Grey, ...	5	...	2	1	29	...	.	...
" X " Full powers, ...	Assistant Commissioner, ...	Mr G Knox, ...	...	8	6	4	21		11	22
" " " " ...	Ditto, ...	Mr H St G Tucker, ...	5	...	302	121	27	14	19	60
" " " " ...	Extra Assistant Commissioner, .	Mr T W Moore, ...	10	10	492	121	31	14	43	47
" " " " ...	Ditto, ...	Pundit Hurri Shunker, ...	11	..	394	181	24	24	25	36
" VIII " Special, ...	Assistant Commissioner, ...	Lieutenant Bartholomew, ...	5	13	57	23	11	10	13	10
" " " " ...	Ditto, ...	Mr H St G. Tucker, ...	4	15	140	48	12	13	24	31
" V " Ordinary, ...	Tahseeldar of Dera, ...	Radha Kishen, ...	7	16	268	59	24	13	29	35
" " " 1st Grade, ...	Do. Koolachee, ...	Attaoollah Khan, ...	7	1	212	79	25	13	23	30
" " " " ...	Do. Leia.	Sheo Ram, ...	11	..	635	285	24	16	26	57
" " " " ...	Do. Bukkur.	Fuzzul Deen, ...	8	...	215	56	19	12	16	27
" " " " ...	Do. Koolachee, ...	Poonoo Mull, ...	3	10	98	25	43	15	34	29
" VI " 2nd Grade, ..	Naib do. Dera, ...	Goolam Mahomed, ...	8	...	151	58	24	15	22	19
" " " " ...	Do. do, ...	Shekh Mehr Bux, ...	...	15	30	...	10	7	9	60
" " " " ...	Naib do. Bukkur, ...	Sahib Ram, ...	3	20	112	39	18	16	18	30
" " " " ..	Do. do, ...	Goolam Mahomed, ...	3	...	144	72	20	16	23	48
" " " " ...	Do. Koolachee, ...	Poonoo Mull, ...	3	3	87	41	20	14	22	28
	Do. do., ...	Sahib Ram, ...	7	10	226	125	19	10	13	30

" V " Ordinary,	Do. Goojur Khan,	Hoshnak Roy,	5	9	73	19	10	20	18	14
	Do. Kalloota,	Mahomed Shah,	6	20	59	20	12	21	15	8
	Honorary Civil Judge,	Sirdar Futteh Khan,	11	...	11	1	...	34	53	1
Act XXII of 1864,	Cantonment Judge of Small Causes,	Major J. W. F. Bean,	11	...	1,151	429	13	6	8	104
		JHELUM DISTRICT.								
Section XI Act XIX of 1865,	Deputy Commissioner,	Lieutenant Colonel J W. Bristow,	11	...	3	47	...	9	...	...
" X " Full powers,	Assistant Commissioner,	Lieutenant Colonel W. Paske,	3	21	70	40	8	19	8	18
" " " "	Ditto,	Captain F D Harington,	7	3	122	45	13	15	18	17
" " " "	Ditto,	Mr. F W R Fryer,	2	26	70	52	10	19	20	24
" " " "	Ditto,	Mr. F. E Moore,	7	9	161	76	24	35	36	22
" " " "	Extra Assistant Commissioner,	Moonshee Jaishee Ram,	1	5	27	19	32	25	30	23
" " " "	Ditto,	Do. Hookum Chund,	3	11	72	42	21	16	28	21
" " " "	Ditto,	Do. Zoolficar Allee,	1	3	41	17	13	16	23	37
" VII " Ordinary,	Extra Assistant Commissioner,	Do Zoolficar Allee,	6	...	141	59	10	20	21	23
" VI " 1st Grade,	Tahseeldar of Jhelum,	Juggut Narain,	10	15	239	68	13	14	18	22
" " " "	Ditto Chukwal,	Irshad Allee,	11	.	340	90	24	31	35	30
" " " "	Ditto Pind Dadun Khan,	Sooruj Koul,	2	21	104	49	12	8	12	38
" " " "	Ditto ditto,	Abdoolla,	5	9	151	69	9	7	12	28
" " " "	Ditto ditto,	Amreek Singh,	3	...	79	66	10	26	12	26
" " " "	Ditto Talagunj,	Bishen Singh,	8	15	298	87	17	12	22	35
" " " 2nd Grade,	Naib do. do,	Gunput Raie, 1st,	8	15	122	58	10	5	13	14
" VI " "	Ditto Chukwal,	Ditto,	2	15	65	39	23	20	29	26
" " " "	Ditto Pind Dadun Khan,	Gamoo Khan,	11	...	208	...	13	13	20	19
" " " "	Ditto Jhelum,	Gunput Rai, 2nd,	9	15	122	38	15	13	17	12
" " " "	Ditto Chukwal,	Deena Nath,	7	15	146	48	15	26	17	19
" " " "	Ditto Tallagunj,	Ditto,	3	15	23	16	9	9	8	6
		GOOJRAT DISTRICT.								
Section XI Act XIX of 1865,	Deputy Commissioner,	Major J. B. Smyly,	11	...	35	267	...	2	3	3
" X " Full powers,	Assistant Commissioner,	Lieutenant R. Armstrong,	...	18	13	...	11	4	7	21
" " " "	Ditto,	Mr T O Wilkinson,	6	...	447	357	4	4	8	74
" " " "	Extra Assistant Commissioner,	Mr. C. T Owen,	6	8	153	55	11	18	25	24
" " " "	Ditto,	Jaishee Ram,	1	21	114	7	24	10	11	67
" VIII " Special,	Assistant Commissioner,	Mr T O Wilkinson,	5	...	244	145	12	12	13	48
" V " Ordinary,	Tahseeldar of Goojrat,	Sooruj Koul,	4	...	200	106	14	14	15	50
" " " 1st Grade,	Do. Kharean,	Gholam Moheeodeen,	3	15	152	102	9	17	17	43
" " " "	Do. Phalean,	Hakim Roy,	4	...	196	125	17	10	16	49
" " " "	Do. Goojrat,	Bunsee Dhur,	8	15	688	373	6	7	15	80
" " " "	Do. Phalean,	Bukhtawur Lall,	3	20	74	17	40	14	25	20
" " " "	Do. Kharean,	Hoshnak Roy,	5	6	129	14	19	24	17	24
" " " "	Do. Phalean,	Mehndee Khan,	3	20	186	17	15	16	25	50
" " " "	Do. Kharean,	Abdoola Khan,	...	20	6	...	14	15	21	9
" " " 2nd Grade,	Naib Tahseeldar Goojrat,	Hakim Roy,	3	15	255	80	8	8	9	72
" " " "	Do. Phalean,	Bailee Ram,	11	...	577	252	11	11	13	52
" " " "	Do. Khareau,	Akbur Ally,	11	...	311	91	13	14	26	28

Powers.	Designation of Office.	Names of Officers.	Period of service during the year. M.	Period of service during the year. D.	Number of *Original* cases disposed of.	Number of *Miscellaneous* cases disposed of.	Average duration of: Cases struck off, &c.	Average duration of: Do. uncontested in Court.	Average duration of: Do. contested in Court.	Average number of cases disposed of per mensem.
		Shahpoor District.								
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	Captain J. W. H. Johnstone, ...	11	..	98	25	16	12	18	9
" X " Full powers, ...	Assistant ditto, ...	Mr. G. Smyth, ...	10	17	585	83	20	17	21	55
" " " " ...	Ex. Assistant ditto, ...	Hadee Hossain Khan, ...	1	6	50	101	29	12	31	41
" " " " ...	Ditto, ...	Mr R. Spencer, ...	11	...	605	534	38	30	31	55
" " " " ...	Ditto, ...	Fyzul Hussun, ...	9	13	445	202	34	26	33	47
" V " Ordinary, ...	Tahseeldar of Shahpoor, ...	Mehndee Khan, ...	6	15	151	28	15	12	13	23
" " " 1st Grade, ...	Offg. do. ditto, ...	Hurbuns Lall, ...	...	22	41	13	15	11	11	56
" " " " ...	Tahseeldar of ditto, ...	Hakim Khan, ...	2	18	128	32	12	12	17	49
" " " " ...	Do. Khoshab, ...	Lalla Ramsahae, ...	11	...	431	107	18	17	23	39
" " " " ...	Do. Bhera, ...	Hakim Khan, ...	8	13	282	157	15	17	17	33
" " " " ...	Offg. do. do., ...	Hurbuns Lall, ...	2	18	111	31	18	15	26	42
" " " 2nd Grade, ...	Naib do. Shahpoor, ...	Hurbuns Lall, ...	7	21	206	42	17	15	20	26
" " " " ...	Do. Khooshab, ...	Niaz Ally, ...	8	...	247	57	28	23	29	30
" " " " ...	Do. Bhera, ...	Kissun Dial, ...	11	...	395	123	10	14	14	36
		MOOLTAN DIVISION.								
		Mooltan District.								
		Lieutenant Colonel W. R. Eliott, ...	2	7	13	15	...	4	21	5
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	Mr. D. G. Barkley, ...	5	...	15	12	...	156	52	3
" X " Full powers, ...	Assistant Commissioner, ...	Mr D. G. Barkley, ...	3	...	165	42	20	11	15	55
" " " " ...	Ditto, ...	Major J R G. G. Shortt, ...	...	15	4	...	6	5	6	8
" " " " ...	Ditto, ...	Captain C Beadon, ...	10	8	93	20	12	10	17	9
" " " " ...	Ditto, ...	Mr. M Macauliffe, ...	8	...	55	25	14	14	16	7
" " " " ...	Extra Assistant Commissioner, ...	Mr. J. E. Rowe, ...	8	...	132	137	16	20	19	16
" VIII " Special, ...	Extra Assistant Commissioner, ...	Mr. D. C M Gordon, ...	8	...	213	41	16	16	28	26
" " " " ...	Ditto. ...	Hafiz Samander Khan, ...	...	10	1	...	...	...	3	3
" V " Ordinary, ..	Tahseeldar of Mooltan, ...	Gulam Moortaza, ...	8	16	339	179	31	21	38	39
" " " 1st Grade, ...	Do. 1st Grade Shujabad, ...	Khooshal Roy, ...	11	...	230	126	20	21	41	21
" " " " ...	Do. Lodhran, ...	Thakoor Dass, ...	2	15	21	3	9	8	16	8
" " " " ...	Do. do., ...	Nuthan Lall, ...	5	16	102	27	18	12	22	18

		Honorary Civil Judge, ...	Nawab Surfuraz Khan, ...	9	...	106	30	19	18	23	11
		Ditto, ...	Do. Foujdar Khan, ...	9	...	125	36	32	11	16	14
		Ditto, ...	Do. Shah Nawaz Khan, ...	11	...	166	46	36	22	14	15
			Dera Ghazee Khan District.								
Section XI Act XIX of 1865, ...		Deputy Commissioner, ...	Captain R. G. Sandeman, ...	8	16	2	10	...	1	1	...
" X "	Full powers, ...	Assistant Commissioner, ...	Mr. G. M. Ogilvie, ...	10	23	184	36	52	46	33	17
" " "	" ...	Ditto, ...	Mr. R. J. Bruce, ...	11	...	92	23	32	45	41	8
" " "	" ...	Extra Assistant Commissioner, ...	Mr. A. Mohunbeer, ...	10	10	400	167	37	29	40	39
" V "	Ordinary, ...	Tahseeldar of Rajunpore, ...	Noor Mahomed Khan, ...	7	15	315	90	18	16	21	42
" " "	1st Grade, ...	Do. Sungur, ...	Neeamut Roy, ...	5	15	300	62	40	19	29	54
" " "	" ...	Do. Derah, ...	Gholam Hoosein Khan, ...	11	...	793	477	30	19	26	72
" " "	" ...	Do. Jampore, Rajanpore, ...	Ghulam Surwur Khan, ...	11	...	442	131	22	17	16	40
" " "	" ...	Do. Jampore, ...	Sheikh Fuzooldeen, ...	2	15	199	2	12	10	11	79
" " "	" ...	Offg. " Sunghur, ...	Punoo Lall, ...	5	15	166	29	13	27	43	30
" VI "	2nd Grade, ...	Naib " Dehra, ...	Byjnath, ...	3	25	157	125	25	14	25	41
" " "	" ...	Do. Jampore, ...	Nehal Chund, ...	3	25	83	47	17	5	10	21
" " "	" ...	Do. Rajanpore, ...	Kashee Ram, ...	3	25	101	100	15	20	15	26
" " "	" ...	Honorary Civil Judges, ...	Jumal Khan, ...	11	...	89	13	2	12	15	8
" " "	" ...	Ditto, ...	Shah Nawaz Khan, ...	11	...	129	22	40	15	30	11
" " "	" ...	Ditto, ...	Emam Buksh Khan, ...	11	...	50	6	25	21	30	4
" " "	" ...	Ditto, ...	Ghulam Hyder Khan, ...	11	...	208	9	7	6	6	19
" " "	" ...	Ditto, ...	Meerun Khan, ...	11	...	44	3	10	12	46	4
			Bunnoo District.								
			Mr S S. Thorburn, ...	2	20	...	...	...	...	...	...
Section XI Act XIX of 1865, ...		Deputy Commissioner, ...	Major A A Munro, ...	4	11	1	...	...	...	64	...
" " "	" ...	Ditto, ...	Major C. V. Jenkins, ...	4	...	...	2	...	...	...	...
" X "	Full powers, ...	Assistant Commissioner, ...	Mr. S S. Thorburn, ...	6	11	86	282	33	32	35	13
" " "	" ...	Ditto, ...	Mr. H Priestly, ...	11	...	163	166	32	42	33	14
" X "	" ...	Assistant Commissioner, ...	Lieutenant R Bartholomew, ...	3	...	32	61	27	32	31	11
" VII "	Ordinary, ...	Extra Assistant Commissioner, ...	Gholam Mahomed Khan, ...	11	...	427	189	48	33	46	38
" V "	1st Grade, ...	Tahseeldar of Bunnoo, ...	Gunga Ram, ...	7	15	280	99	48	16	15	37
" " "	" ...	Do. do.	Uttaoolla Khan, ...	3	15	202	97	32	34	32	57
" " "	"	Do. Lukkee, ...	Misree Khan, ...	11	...	339	128	22	28	15	30
" " "	" ...	Do. Esakhail, ...	Nuseeroodeen Ahmed Khan, ...	11	...	508	200	34	16	19	46
" " "	2nd Grade, ...	Do. Cutchee, ...	Gholam Mohamed, ...	11	...	624	272	17	12	9	56
" " "	" ...	Naib " Bunnoo, ...	Mehr Bux, ...	10	15	423	116	20	14	15	40
" " "	" ...	Do. Lukkee, ...	Hurree Ram, ...	11	...	276	189	17	10	14	25
" " "	" ...	Do. Bunnoo, ...	Diwan Chund, ...	...	15	32	...	15	...	21	64
			PESHAWUR DIVISION.								
			Peshawur District.								
			D. C. MacNabb, Esquire, ...	1	12	9	...	25	17	6	6
Section XI Act XIX of 1865, ...		Deputy Commissioner, ...	Captain W. G. Waterfield, ...	7	17	5	...	...	1	14	...
" " "	" ...	Ditto, ...	Captain E. Hastings, ...	2	1	5	...	38	138	22	2
" X "	Full powers, ...	Assistant Commissioner, ...	Do.	6	...	17	...	23	44	15	3
" " "	" ...	Ditto, ...	J. W Gardiner, Esquire, ...	6	...	45	61	55	78	63	7
" " "	" ...	Ditto, ...	Captain Macaulay, ...	2	...	6	...	...	13	15	3
" " "	" ...	Ditto, ...	Captain Harington, ...	3	22	10	...	31	24	6	3
" " "	" ...	Ditto, ...	W. P. Woodward, Esquire, ...	10	..	32	62	44	53	36	3

APPENDIX XII—(*Concluded.*)

Powers.	Designation of Office.	Names of Officers.	Period of service during the year. M.	Period of service during the year. D.	Number of *Original* cases disposed of.	Number of *Miscellaneous* cases disposed of.	Average duration of: Cases struck off &c.	Average duration of: Do. uncontested in Court.	Average duration of: Do. contested in Court.	Average number of cases disposed of per mensem.
Section X Act XIX of 1875, ...	Assistant Commissioner, ...	Lieutenant A. S. Roberts, ...	8	16	54	2	23	32	1	6
" " " " ...	Extra Assistant Commissioner, ...	C. T. Owen, Esquire, ...	5	...	58	157	23	23	44	11
" " " " ...	Ditto, ...	Colonel Dhunraj.	8	24	222	88	28	28	19	23
" " " " ...	Ditto, ...	Beharee Lall, ...	4	26	83	168	57	45	11	17
" " " " ...	Assistant Commissioner, ...	Lieutenant Bartholomew, ...	...	22	23	1	16	7	6	31
" " " " ...	Extra Assistant Commissioner, ...	Hafiz Samandur Khan, ...	10	8	379	28	24	30	15	36
" VII " Ordinary, ...	Ditto, ditto, ...	Mahomed Oomur Khan, ...	5	...	273	7	22	17	20	54
" V " 1st Grade, ...	Tahseeldar of Hushtnuggur, ...	Lushker Khan, ...	6	...	152	...	10	6	6	25
" " " " ...	Tahseeldar of Peshawur, ...	Beharee Lall, ...	9	...	294	72	5	4	4	32
" " " " ...	Do. Khulsakhutuk, ...	Sooltan Jan, ...	11	...	405	60	13	8	12	36
" " " " ...	Do. Eusufzai, ...	Akbur Khan, ...	11	...	366	54	14	11	15	33
" " " " ...	Do. Dooba, ...	Abbass Khan, ...	11	...	269	84	17	18	20	24
" " " " ...	Do. Daoodzin, ...	Nund Gopal, ...	9	22	104	11	26	17	16	10
" " " " ...	Offg. " Peshawur, ...	Bhag Rai.	3	...	46	...	17	10	11	15
" VI " " ...	Naib " do., ...	Abdool Sumud, ...	1	24	26	10	20	7	2	12
	Honorary Civil Judge, ...	Syud Ayaoodeen, ...	11	...	6	...	20	8	16	...
Act XI of 1865, ...	District Judge of Small Causes, ...	W. P. Woodward, Esquire, ...	8	...	2,844	1,724	6	4	7	355
" "	Cantonment Ditto, ...	Colonel Elwyn, ...	11	...	854	497	18	7	14	78
		Huzara District.								
Section XI Act XIX of 1865, ...	Deputy Commissioner, ...	Captain E. L. Ommaney, ...	11	...	2	3	...	...	20	...
" X " Full powers, ...	Assistant Commissioner, ...	Lieutenant R. T. M Lang, ...	11	...	92	40	21	24	22	8
" " " " ...	Ditto, ...	Lieutenant H. M. M. Wood, ...	10	10	227	55	16	11	29	22
" VIII " Special, ...	Extra Assistant Commissioner, ...	Sheikh Abdool Russool, ...	11	...	147	30	70	18	47	13
" V " " ...	Tahseeldar of Hurreepore, ...	Gholam Moortaza, ...	7	...	141	15	33	33	43	20
" " " " ...	Do. Manserah, ...	Luchmee Narain, ...	11	...	237	30	66	26	37	21
		Kohat District.								
Section XI Act XIX of 1865, ...	Deputy Commissioner.	Lieutenant N. Cavagnari, ...	11	...	22	117	5	51	30	2
" VIII " Special, ...	Assistant Commissioner, ...	Lieutenant T. C. Plowden, ...	6	...	125	115	42	20	30	20
" " " " ...	Extra Assistant Commissioner, ...	Shahzada Mahomed Jumboor, ...	11	...	47	28	34	34	28	4
" VII " Ordinary, ...	Assistant Commissioner, ...	Lieutenant T. C. Plowden, ...	5	...	52	37	10	26	24	10
" V " " ...	Tahseeldar of Kohat, ...	Rai Radha Kishun, ...	8	9	277	75	10	6	9	34
" " " " ...	Do. Jhung, ...	Mozuffer Khan, ...	11	...	29	13	29	30	29	2
" VI " 2nd Grade, ...	Naib " Kohat, ...	Mahomed Tamash Khan, ...	2	21	172	30	26	7	12	57
	Honorary Civil Judge, ...	Khwaja Mahomed Khan.	11	...	126	41	34	30	34	11

NO. XIII.

STATEMENT SHOWING THE NUMBER OF ORIGINAL SUITS DISPOSED OF BY THE SEVERAL DENOMINATIONS OF OFFICERS DURING 1868.

District.	Deputy Commissioners.	Assistant Commissioners.	European Extra Assistant Commissioners.	Native Extra Assistant Commissioners.	Tahseeldars.	Naib Tahseeldars.	Honorary Civil Judges.	Judges of District Small Cause Courts.	Judges of Cantonment Small Cause Courts.	Total	Remarks
Delhi, ...	27	368	102	388	915	147	...	3,161	...	5,108	19 cases transferred by Small Cause Court have been excluded from this Statement.
Goorgaon, ...	56	477	...	280	685	191	23	...	...	1,712	
Kurnal, ...	23	79	254	198	632	782	65	...	..	2,033	
Hissar, ...	60	91	...	167	1,248	183	...	...	...	1,749	
Rhotuk, ...	24	...	121	294	962	107	...	...	...	1,508	
Sirsa, ...	32	158	...	120	507	91	...	...	...	908	
Umballa, ...	25	312	474	1,265	2,899	266	568	...	1,364	7,173	
Loodiana, ...	36	696	10	527	1,113	707	216	2,635	...	5,940	
Simla, ...	24	440	141	...	...	125	...	1,128	...	1,858	
Jullundur, ...	2	335	382	1,199	3,171	1,182	...	3,180	654	10,105	
Hoshiarpoor, ...	62	594	451	1,975	4,016	2,169	...	3,837	...	13,104	
Kangra, ...	24	297	...	581	2,174	838	201	...	...	4,115	
Umritsur, ...	12	1,112	172	1,199	4,378	1,026	540	4,430	...	12,869	
Goordaspoor, ...	17	1,045	...	477	1,330	1,116	...	...	...	3,985	
Sealkote, ...	11	923	...	1,005	3,522	2,753	7	...	942	9,163	
Lahore, ...	13	1,188	23	846	2,381	...	293	4,352	1,267	10,363	
Goojranwala, ...	54	229	...	318	1,028	2,005	836	...	...	4,470	
Ferozepore, ...	15	493	...	1,097	2,567	1,326	19	...	770	6,287	
Rawul Pindee, ...	11	1,988	414	251	2,592	728	11	...	1,151	7,146	
Jhelum, ...	3	423	...	281	1,211	686	...	...	...	2,604	
Goojrat, ...	35	704	153	114	1,631	1,143	...	...	...	3,780	
Shahpoor, ...	98	585	605	495	1,144	848	...	...	...	3,775	
Bunnoo, ..	1	281	...	427	1,953	731	...	...	...	3,393	
Dera Ismail Khan,...	22	505	492	394	1,428	750	397	...	...	3,988	
Dera Ghazee Khan,	2	276	...	400	2,215	341	52	...	...	3,754	
Mooltan, ...	28	317	345	1	1,448	261	...	..	585	2,985	
Jhung, ...	28	...	489	491	1,200	1,193	...	..	...	3,401	
Montgomery, ...	...	54	279	107	1,251	976	...	...	...	2,667	
Moozuffurgurh, ...	72	739	...	182	1,623	975	...	...	...	3,591	
Peshawur, ...	19	188	58	957	1,636	26	6	2,844	854	6,588	
Huzara, ...	2	319	...	147	141	237	...	...	...	846	
Kohat, ...	22	177	...	47	306	172	126	...	...	850	
Total, ... 1868	860	15,393	4,965	16,230	53,307	24,081	3,828	25,567	7,577	151,808	
Total, ... 1867	1,288	16,096	5,032	12,890	55,712	21,965	3,485	27,273	7,416	145,457	

IMPERIAL RETURN II. B.

No. 6.

NUMBER AND DESCRIPTION OF CIVIL SUITS DISPOSED OF.

II.

IMPERIAL RETURN. No.

STATEMENT SHEWING THE NUMBER AND DESCRIPTION OF CIVIL SUITS

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
CLASS OF COURTS.	SUITS FOR MONEY DUE ON CONTRACT.									SUITS FOR DAMAGES.									
	ON WRITTEN OBLIGATION FOR SUM CERTAIN.																		
	Registered.	Unregistered.	Simple debt on unwritten obligation.	For account stated.	Money paid or received.	Goods sold.	For breaches of contract not included in above.	Suits for rent.	Suits for personal property or value thereof.	For injuries to the person attended with direct or actual pecuniary damage.	For injuries to property.	For defamation.	For other injuries not included in above.	Suits to compel specific performance of contracts.	Suits to set aside contracts and obligations on account of fraud or mistake.	Suits to compel or prevent particular acts by way of mandamus or injunction.	Suits to settle partnership and other accounts.	Suits connected with religion and caste.	Suits relating to administration of trusts and religious endowments.
Delhi, ...	371	1,050	862	1,142	81	522	58	200	266	17	5	...	...	11	3	...	31	...	...
Goorgaon, ...	159	106	414	529	...	...	...	67	53	2	2	...	19	...	1	...	2	...	...
Kurnal, ...	206	313	210	518	1	8	7	24	127	17	2	4	17	9	1	2	6	...	2
Hissar, ...	119	63	322	544	3	8	2	28	84	40	6	12	4	...	...	...	3	...	...
Rhotuck, ...	89	190	139	421	8	6	...	85	41	6	5	1	5	9	...	...	2	...	...
Sirsa, ...	32	38	246	239	1	...	1	...	56	2	8	...	3	5	...	...	7	...	...
Umbaila, ...	350	934	1,189	1,928	32	56	10	131	455	18	67	10	46	25	5	1	26	...	2
Loodiana, ...	232	1,416	1,045	684	3	538	14	63	591	15	122	5	23	...	1	...	9	...	4
Simla, ...	57	262	368	420	33	371	151	79	72	4	6	1	...	9	6	...	16	...	...
Jullundhar, ...	739	3,229	1,963	578	687	109	76	94	827	12	181	13	66	1	2	21	18	1	5
Hooshiarpoor, ...	1,015	5,012	2,492	544	287	105	162	85	923	41	94	57	177	2	1	1	8	...	3
Kangra, ...	93	1,033	863	390	6	56	50	24	441	39	365	115	47	10	5	1	24	...	1
Umritsur, ...	339	3,540	1,893	1,351	1,751	305	34	126	579	21	46	58	183	45	3	...	114	7	8
Goordaspoor, ...	72	842	792	331	70	44	10	34	350	13	34	19	19	...	...	...	10	...	3
Sealkote, ...	549	2,790	1,886	1,841	6	29	9	67	146	8	19	94	11	8	...	...	20	...	...
Lahore, ...	256	2,346	3,427	2,186	26	415	20	169	471	8	53	30	35	...	4	...	44	...	...
Goojranwala, ...	385	553	276	1,635	202	63	59	123	109	...	30	105	42	28	...	...	22	...	9
Ferozepoor, ...	215	561	2,058	932	57	638	...	30	388	27	28	29	1	29	2	...	24	...	4
Rawulpindee, ...	119	871	1,605	1,313	77	184	186	111	589	24	61	27	25	42	2	1	15	2	7
Jhelum, ...	71	357	311	268	7	10	...	18	156	5	55	30	18	31	2	...	5	...	2
Goojrat, ...	348	1,048	620	786	...	...	...	98	66	...	2	14	...	...	...	...	8	...	...
Shahpoor, ...	78	838	460	1,040	2	1	3	15	384	5	13	38	8	1	...	...	14	...	...
Bunnoo, ...	140	185	735	311	...	1	11	37	...	16	12	51	4	6	...	...	23	...	2
Dera Ismail Khan, ...	39	1,362	546	555	17	84	10	97	241	20	49	21	21	...	4	1	33	...	4
Dera Gazee Khan, ...	142	726	732	558	...	...	9	28	104	1	83	24	19	11	...	...	8	...	...
Mooltan, ...	67	421	935	962	6	2	1	51	118	6	1	26	...	...	...	...	5	...	...
Jhung, ...	24	581	387	1,669	5	10	3	10	171	...	14	12	8	3	2	...	5	...	1
Montgomery, ...	62	283	361	1,524	...	50	1	11	178	4	12	3	1	...	3	...	1	...	...
Mozuffargarh, ...	63	1,506	374	458	...	26	2	30	166	2	31	45	2	5	...	...	29	...	...
Peshawar, ...	193	1,301	1,147	937	169	419	469	154	408	1	29	5	24	33	2	1	19	4	1
Hazara, ...	8	123	306	146	...	...	1	10	77	3	...	5	...	...	...	...	10	...	...
Kohat, ...	76	122	239	52	...	...	...	19	...	...	...	29	...	2	...	...	25	...	...
Dist. and Ord. Courts,	5,500	24,467	22,037	20,740	797	1,245	453	1,366	8,317	328	1,121	872	692	292	49	29	586	14	58
District S. C. Courts,	1,107	8,799	4,727	3,074	2,673	2,207	797	508	23	32	285	...	131	...	...	...	...	...	...
Cantt. S. C. Courts, ...	101	736	2,380	2,948	7	602	109	304	207	17	27	2	5	33	...	...	...	...	...
Chief Court, ...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...

B.

6.

DISPOSED OF BY THE CIVIL COURTS OF THE PUNJAB, IN THE YEAR 1868.

21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45
Suits relating to marriage dower or divorce.							Claims to inheritance.								Suits relating to mortgage of immovable property.		Claims to right of pre-emption.				Suits for partition of immovable property.			
							Under Muhammadan law.		Under Hindoo law.		Under any other law.													
Suits connected with betrothal.	Suits for custody of wives.	Other suits.	Suits to establish or dispute adoption.	Suits regarding custody and guardianship of infants and lunatics.	Other suits to declare or establish personal rights.	Suits to establish or contest wills.	Land only.	Other property.	Land only.	Other property.	Land only.	Other property.	Suits to establish or contest the rights of Hindoo widows.	Suits relating to the revenue.	Land only.	Other property.	Land only.	Other property.	Suits to resume or assess rent free land.	Suits regarding the relative rights of superior or inferior holders of land (other than rent free land).	Land only.	Other property.	Suits regarding boundaries.	Suits for or relating to real property not included in the foregoing.
4	22	13	5	...	18	...	4	5	...	5	...	...	...	105	24	13	4	...	...	60	24	6	...	176
9	...	...	...	...	...	...	...	...	...	...	40	25	...	104	43	53	23	...	20	31	1	9	...	...
21	...	6	...	2	31	1	3	4	4	...	...	...	...	117	39	22	10	2	...	78	12	4	...	203
37	13	6	...	2	...	...	...	...	3	...	1	11	...	198	9	6	6	4	...	54	3	2	...	155
16	2	8	1	...	50	...	...	...	3	...	...	...	...	106	27	8	6	...	...	24	8	1	...	245
23	2	3	...	1	8	...	...	1	...	...	...	...	...	125	3	3	1	1	...	52	...	...	...	47
48	36	12	2	1	8	6	4	5	7	9	41	10	1	789	58	27	29	14	16	353	49	48	1	311
131	45	10	3	6	6	...	12	13	26	16	...	1	...	155	50	48	32	9	6	83	76	81	...	375
2	1	...	1	...	...	...	...	...	...	...	...	...	...	...	...	6	...	2	...	...	...	1	40	6
110	26	5	4	3	292	...	13	...	2	3	2	...	...	428	36	23	73	8	2	34	119	44	20	171
170	33	13	2	1	15	...	1	5	6	1	1	...	...	221	91	83	44	16	65	78	10	11	21	1,192
178	12	33	...	2	16	...	1	...	26	6	4	7	...	124	10	13	...	2	...	...	1	28	2	80
143	43	14	...	2	10	...	11	35	31	109	328	25	1	400	75	135	67	33	2	267	18	18	38	657
154	17	40	...	...	1	4	3	1	8	2	13	...	76	569	84	5	5	...	1	60	5	1	3	270
226	40	12	...	...	...	...	...	1	...	...	...	...	...	336	68	220	55	...	...	48	87	13	...	573
109	38	20	3	...	...	1	19	10	25	13	51	...	19	85	22	77	5	14	...	...	19	31	...	208
272	...	7	3	...	...	...	...	...	...	...	89	75	10	187	67	31	21	18	...	...	19	27	...	27
75	33	8	...	1	8	...	...	1	...	...	159	225	...	223	34	2	4	...	27	41	38	3	...	344
93	84	19	...	2	1	5	...	...	...	2	...	...	...	1,164	23	17	32	6	...	9	6	3	4	411
74	60	32	...	...	11	...	...	...	...	...	275	36	...	352	120	21	21	10	5	13	7	2	17	200
66	63	1	...	...	...	...	...	2	...	...	12	...	...	17	1	8	2	9	...	5	308	195	1	90
50	44	10	...	...	1	...	63	8	1	2	2	1	...	92	37	7	36	3	3	7	32	17	6	454
107	31	23	...	...	...	...	331	98	37	38	99	35	...	1	283	61	105	8	...	417	128	34	4	44
19	38	18	4	5	8	...	38	26	...	2	43	57	...	31	156	48	23	2	4	180	24	7	9	142
34	11	1	...	1	...	...	23	11	6	3	...	...	...	435	129	4	86	...	...	92	24	5	49	394
13	...	...	...	...	...	...	2	1	1	3	...	...	...	157	69	18	9	3	...	13	8	3	...	81
19	4	8	...	...	...	...	...	...	...	...	112	5	...	245	40	2	15	1	4	1	9	...	1	30
16	6	3	...	...	...	...	...	...	...	...	...	...	...	106	...	...	3	...	...	5	...	...	...	34
21	54	...	...	...	...	...	2	...	...	...	...	...	...	509	75	7	40	20	...	4	3	1	...	122
50	24	20	...	3	...	...	80	63	...	4	193	3	2	163	132	10	38	7	...	154	77	5	1	302
27	17	5	...	...	13	...	5	2	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	88
27	79	...	...	...	...	...	...	...	...	...	...	...	...	...	30	3	...	5	...	19	34	...	81	51
2,331	878	354	28	32	197	17	615	287	106	218	1,465	516	109	7,514	1,939	980	794	197	154	2,188	1,149	600	298	7,603
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...
...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

II. B.

No. 7.

STATEMENT SHOWING THE VALUE OF SUITS DISPOSED OF IN THE CIVIL COURTS OF THE PUNJAB DURING 1868.

Classification according to Value.	Number of Suits Disposed of in Different Courts.				Total value of suits.	Remarks.
	Small Cause Courts.	Sub-divisional Courts.	District Courts.	Superior Courts.		
Not exceeding Rupees 5	4,559	8,515	2,180	...	50,337	
" 20	15,843	40,142	12,351	...	8,10 101	
" 100	10,892	28,544	15,521	...	25,47,171	
" 500	1,846	3,977	6,021	...	23,28,311	
" 5,000	...	...	1,264	...	16,58,544	
" 1,00,000	...	...	89	1	5,87,896	
Exceeding Rupees 1,00,000	...	...	3	...	4,55,410	
Total, ...	33,140	81,178	37,379	1	84,37,772	

II B.

No. 8.

STATEMENT SHOWING THE GENERAL RESULT OF THE TRIAL OF CIVIL SUITS IN THE COURTS OF ORIGINAL JURISDICTION IN THE PUNJAB, DURING THE YEAR 1868.

CLASS OF COURT.	NUMBER OF CASES ON THE FILE.			Cases withdrawn, transferred or struck off without trial or decree	CASES IN WHICH DECREE PASSED.									Cases pending at the close of 1868	Average No. of days during which each case lasted.		Number of summonses to parties to appear in person.	Number of parties who appeared.	Number of summonses to witnesses other than parties.	Number of witnesses who appeared.
					Without contest in Court.					Contested cases tried and decided in Court.										
										In favour of plaintiff.										
	Pending from 1867.	Instituted during 1868.	Total.		Ex parte.	By confession.	By compromise and consent.	By arbitration.	Total.	In whole.	In part.	In favour of defendants, objectors or insolvents.	Total.		Contested.	Uncontested.				
Small Cause Courts, ...	747	34,684	35,431	5,705	2,651	8,627	4,450	1,017	16,778	3,974	3,181	3,506	10,661	2,278	10	8	32,428	30,604	27,962	27,130
Unpaid Local Tribunals, ... (*Honorary Civil Judges.*)	91	3,869	3,960	737	159	1,216	417	252	2,044	434	368	255	1,055	124	15	9	7,394	6,102	3,496	3,389
Paid Sub-divisional Tribunals, ... (*Tahseeldars and Naib Tahseeldars.*)	1,794	80,198	81,992	19,080	3,172	20,904	7,069	3,208	34,953	9,381	7,183	6,760	23,324	4,635	22	15	1,44,479	1,40,260	72,292	72,166
District Courts other than Chief Courts of Districts, ... (*Assistant and Extra Assistant Commissioners.*)	2,351	39,866	42,217	8,487	2,081	6,175	3,560	1,649	13,465	5,081	3,379	5,329	14,089	5,576	25	13	72,825	62,901	53,446	48,501
Chief Courts of Districts, ... (*Deputy Commissioners.*)	45	990	1,035	16	70	147	87	31	335	191	124	180	495	196	25	28	2,231	1,964	2,250	2,175
Superior Court of General Jurisdiction, .. (*Chief Court.*)	2	1	3	...	...	...	...	...	...	...	...	1	1	2	69	...	...	...	...	...
Total, ...	5,030	1,59,608	1,64,638	34,025	8,136	37,069	16,213	6,160	67,578	19,961	14,233	16,031	50,225	12,801	21	14	2,59,357	2,50,891	1,59,446	1,53,361

II B.

No. 9.

STATEMENT SHOWING THE BUSINESS OF THE CIVIL APPELLATE COURTS OF THE PUNJAB DURING 1868.

CLASS OF COURTS.	Cases on the file.			Appeals withdrawn, transferred or struck off without trial.	Decided on trial.			Remanded for further investigation.	Total.	Cases pending at the end of the year.	Average duration of each appeal disposed of.	Remarks.
					In favor of Appellant.							
	Remaining of last year.	Instituted.	Total.		In whole.	In part.	In favor of Respondend.					
Chief Appellate Courts of Districts (*Deputy Commissioners*), ...	369	6,417	6,786	470	755	373	3,469	1,244	6,311	475	27 days.	
Superior Appellate Courts (*Commissioners*), ...	1,283	4,777	6,060	312	575	322	3,402	706	5,317	743	70 days	
Chief Court of Province (*Chief Court*), Regular, ...	138	869	1,007	361	94	22	326	32	835	172	38 days.	
Chief Court of Province (*Chief Court*), Special, ...	26	277	303	50	50	13	85	33	231	72	48 days	
Total, ...	1,816	12,340	14,156	1,193	1,474	730	7,282	2,015	12,694	1,462	...	

IMPERIAL RETURN.

II. B.

No. 10.

STATEMENT SHOWING THE EXECUTION OF THE DECREES OF THE CIVIL COURTS OF THE PUNJAB IN THE YEAR 1868.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
CLASS OF COURT.	Number of decrees passed during the year.	Number of Applications for Execution.			Number of decrees completely executed.	Number of decrees partially executed.	Number of cases in which there was no execution.	Pending at end of year.	Number of cases in which specific performance was enforced.	Number of Coercive Processes in Execution.				REMARKS.
		Pending from last year.	Filed during the year.	Total.						Sales of real property.	Sequestrations of real property.	Sale of personal property.	Imprisonment.	
														Cases transferred.
Small Cause Courts, ...	20,203	744	17,274	18,018	5,939	5,331	5,757	843	129	8	...	865	386	148
Local and Sub Divisional Civil Courts, ...	48,954	3,125	33,878	37,003	17,400	7,626	8,802	2,948	1,410	399	12	1,597	119	227
District Courts, ...	21,241	2,027	16,160	18,187	7,501	2,899	5,405	2,062	553	397	31	804	152	320
Total, ...	90,398	5,896	67,312	73,208	30,840	15,856	19,964	5,853	2,092	804	43	3,266	657	695

Proceedings of the Hon'ble the Lieutenant Governor, in the Judicial Department, No. 1298 *dated* 10*th September* 1869.

Read—

Annual Report on Civil Justice in the Punjab for the year 1868, furnished by the Judges of the Chief Court.

REMARKS.—It appears that the aggregate number of Civil suits instituted in 1868 was 159,550, being 14,922 in excess of the institutions in the year preceding; the increase occurred in 22 out of 32 districts, and chiefly in suits for money due on contract, which increased from 90,697 in 1867, to 105,506 in 1868. The increase is ascribed partly to the operation of the new law of limitation (Act XIV of 1859), which came into effect in the Punjab on the 1st January 1869, under which the period of limitation in respect of suits for book debts, running accounts and unregistered bonds, is reduced to 3 years; and partly to the fact that 1868 was an unusually healthy year following upon a very sickly season, when, as is usual, the amount of litigation was diminished. But allowing that there were special causes to account for an increase in the number of Civil suits, it may nevertheless be reasonably inferred from the statistics of the year under report, that the enhanced stamp duties have *not* had the effect of unduly repressing resort to Courts of Justice in matters connected with the ordinary transactions of life. The only classes of suits which appear to have been affected in a marked degree by the increased cost of legal proceedings, are suits relating to marriage, dower or divorce, and claims for custody of wives, in which the stamp duties were purposely fixed high in order to furnish some guarantee for the good faith of suitors in this unsatisfactory kind of litigation; suits to enforce right of pre-emption, which are frequently vexatious; suits connected with mortgages, and for the recovery of personal property; suits for land showed in the aggregate a slight decrease, but seeing that the decrease was confined to 15 districts, while in 17 there was an increase, the diminution can hardly be considered a consequence of the new rates of stamp duty.

2. The accuracy of the classification statement of suits is questioned by the Judges of the Chief Court, and the appointment of well-paid Clerks of the Court has been recommended by the Judges for the purpose of effectively superintending the preparation of statistical returns.

His Honor concurs with the Judges in considering the appointment of such officers desirable, but at present the finances will not admit of the expense.

3. Original suits were in general disposed of with sufficient despatch; of 164,635 cases on the files of the Courts, 151,827 were disposed of within the year at an average duration of 17 days, and in no district did the average duration exceed 29 days. This is very satisfactory in a judicial point of view; but His Honor has grounds for believing that this promptitude in the disposal of judicial business by the officers of Government has interfered with the proper performance of their no less important executive duties. His Honor has accordingly had under consideration a scheme for relieving administrative officers of a considerable portion of the judicial work which presses so heavily upon them.

4. The Judges express the opinion that a more equal distribution of work between the Tahsil Courts and Courts at the Saddar Station is desirable, and that a larger number of suits should be disposed of at head quarters.

His Honor concurs with the Judges in considering that many Tahsildars are overburdened with judicial work; but, looking at the exceedingly petty character of litigation in the province, His Honor is of opinion that the remedy is to be found, not in transferring more cases from Tahsil Courts to the Saddar Station, but in strengthening judicial agencies at Tahsils.

5. From para. 44 of the Report it appears that out of 151,684 suits disposed of in the Courts of the Province, only 1,360 exceeded Rs. 500 in value or amount, while of the remainder the great bulk consisted of petty claims for debt or suits for possession of land, or for the produce of land, involving no important questions of right—in fact, were of a kind eminently suited for disposal in Tahsil or Small Cause Courts; but of these petty claims as many as 36,100 were decided at the Saddar Station by Deputy Commissioners, Assistant Commissioners and Extra Assistant Commissioners; in other words, the time of highly paid officers was taken up—to the detriment of other important administrative functions—in the disposal of petty cases of simple character, which might have been suitably disposed of by a less highly paid agency at Tahsils, to the great convenience of parties and witnesses.

Accordingly, the scheme above referred to provides that the judicial agency at the Saddar Station shall be somewhat decreased, and that at Tahsils considerably augmented.

6. With reference to the remarks contained in paragraph 32 of the Report, on the subject of the increasing number of dismissals on default, His Honor would be glad if the Judges would endeavour to obtain accurate

statistics from each district, showing, for a given period, the number of cases so dismissed—(1), owing to the plaintiff not having been duly informed of the day of hearing, and (2) from the plaintiff voluntarily abandoning his suit owing to a compromise having been effected. Until this is done it is difficult to form an opinion as to whether the number of dismissals on default in a given district is to be regarded as discreditable to the Courts. The mere fact that such cases are numerous is hardly *per se* sufficient ground for forming an unfavorable conclusion, seeing that in the Umritsur Small Cause Court, where dismissals on default were unusually numerous, there is proof (*vide* para 66) that "every plaintiff on instituting his suit gets a memo, in which the number of the suit, the names of parties, and the date fixed for hearing are entered." In like manner His Honor considers that further evidence is necessary before it can be fairly assumed that the number of *ex parte* decisions (5·3 per cent) is "not altogether creditable to the judgment of the Courts in working the Code," and he would be glad if suitable enquiries could be made on this point also.

7. The working of Small Cause Courts appears to have been generally satisfactory, and the financial result, His Honor observes, was a net profit to the State of Rs. 30,645.

8. There was, His Honor observes, an unsatisfactory increase in the duration of appeals in the District Courts, notwithstanding a diminished file, and especially in the Courts of the Deputy Commissioners of the districts noted in para 87; but His Honor notes with satisfaction a marked improvement in the disposal of appeals in the Court of the Deputy Commissioner of Peshawar, a circumstance creditable to Captain Waterfield.

9. The average duration of appeals in Commissioners' Courts was high (70 days), and in the case of the Commissioners of Derajat, Jullundhur, and Peshawar, especially so. The amount of judicial work disposed of by the Commissioner and Additional Commissioner of Jullundhur was, His Honor observes, less than the amount disposed of by the Commissioner single-handed in the year 1867; a fact which seems to require explanation.

10. With reference to the remarks contained in paras. 108 and 119, His Honor trusts the Judges will take measures to check unnecessary and perfunctory resort to the measure of returning cases for re-investigation. The procedure involves great delay, and if unnecessary is unfair both to the parties and to the Court appealed against.

11. The average duration of appeals in the Chief Court was 40 days only, and the state of business generally very satisfactory.

12. The returns of suits for execution of decrees show an improvement in realizations, but there is doubtless, as observed by the Judges, room for great improvement in this important branch of judicial administration. His Honor has no objection to a trial being made of the system of entrusting the disposal of cases of execution of decree to one officer, but he believes it will be found that the Court in which the decree is issued is in the best position for enforcing it with judgment.

13. With reference to para. 130 of the Report, the Lieutenant Governor agrees with the Judges in the opinion that the improvement of Civil Justice in the Punjab is the only purpose to which the surplus proceeds of process fees can be legitimately applied, but the Government of India taking a different view have directed that those surplus fees shall merge in the General Revenues.

Accordingly, the scheme for appropriating the surplus has necessarily been abandoned—but as before indicated, His Honor has submitted another scheme for increasing the judicial agency in the province, without incurring extra expense—a measure which His Honor concurs with the Judges in considering to be urgently necessary—not only on the grounds urged in para. 132 of the Report but because His Honor is satisfied that the pressure of judicial business is seriously interfering with the important executive duties of the officers of the Administration.

14. In conclusion, His Honor desires to record his cordial acknowledgments to the Judges of the Chief Court for their able and efficient administration of the important department over which they preside. Under their auspices the Chief Court of the Punjab has won the confidence and respect of the community, and through their careful supervision the administration of justice by Subordinate Courts has greatly improved.

No. 1299.

ORDERED—That the foregoing remarks be forwarded to the Registrar of the Chief Court.

By order of the Hon'ble the Lieutenant Governor,

(Signed) T. H. THORNTON,

Secretary to Government Punjab.

No 2807, dated 15th October 1869.

From T. W. Smyth Esquire, Registrar Chief Court Punjab, to T. H. Thornton Esquire, Secretary to Government Punjab.

From the proceedings of the Hon'ble the Lieutenant Governor, in the Judicial Department, No. 1298, dated 10th September 1869, the Judges are glad to observe that His Honor has had under consideration a scheme for relieving administrative officers of a considerable portion of the Judicial work which presses so heavily upon them.

2. The Court has not been favoured with the details of this scheme, but as far as can be gathered from the proceedings of His Honor it appears (para. 5) to provide that the judicial agency at the Sudder shall be somewhat decreased, and that at Tehseels considerably augmented, and it is stated (para 13) that this change is to be carried out without incurring extra expense to the State.

3. The reason assigned for the scheme assuming this form is because the great bulk of the litigation of the province consists of petty claims for debt or suits for possession of land, or for the produce of land, involving no important question of right, and the time of highly paid officers is at present taken up, to the detriment of other important administrative functions, in the disposal of petty cases of simple character which might be suitably disposed of by a less highly paid agency at Tehseels.

4. Until the details of this scheme have been communicated at greater length to the Court, the Judges can form no adequate opinion of its merits or its sufficiency. They, however, would deprecate any proposal which aims at the multiplication of a poorly paid judicial agency at Tehseels at the expense of the establishment at the Sudder. The Judges consider the scheme proposed in my letter No. 5136, dated 8th December 1868, much preferable in many respects to one of the character indicated in His Honor's proceedings.

5. In the first place, the officers at the Sudder stations are certainly not too numerous at present for the judicial duties required of them, and the increase of judicial officers on low pay is to be avoided for many reasons. Experience both in lower Bengal and in the North West Provinces has led to the adoption of a course exactly the opposite of that which is apparently proposed by Government. The Judges believe that in those provinces the tendency is to diminish the number of judicial officers, pay them highly, and

so secure better supervision and a better class of men. Moonsiffees have been abolished within the last few years, and more work has been thrown on the Principal Sudder Ameens and Small Cause Courts, on the principle that the Moonsiffs having been too much localized and being under paid were subjected to a temptation to become indolent if not corrupt, and difficulty of supervision was increased.

6. Again, it can hardly be declared that suits for possession of land or the produce of land, of however small amount, do not involve important questions of right. It seems to this Court that it would be difficult to predicate this under any circumstances, and more especially in the Punjab at present, where a very numerous class of suits which elsewhere are comparatively of a simple kind, are so often connected with questions of tenant right, and circumstances have created for the time at least a difficulty in deciding them with impartiality which does not ordinarily exist.

7. With regard to the request contained in para. 6 of His Honor's proceedings, I am to state that the Court will take measures to ascertain the number of cases dismissed on default in each district for a given period owing to the plaintiff's not having been duly informed of the day of hearing; but it will be difficult to obtain the number of dismissals on account of the plaintiff voluntarily abandoning his suit owing to a compromise having been effected. It could only be ascertained by re-summoning the plaintiff, a course which would be attended with much trouble and inconvenience to the parties concerned and to the Courts generally.

8. I am to observe that whenever the Judges observe an unusually large proportion of dismissals on default in any particular Court the files are either sent for for perusal, or the Commissioner of the Division is requested to examine them and report on the procedure. In the majority of such cases the Judges have found that the dismissals are due to the fault of the Courts in not taking up the case on the day fixed for hearing, either from want of time or unpunctuality, and on bringing them forward on some other day without informing the parties.

9. A certain per-centage of dismissals on default will always occur in a well ordered Court, and the only way to arrive at any correct conclusion on this subject, is to assume such a per-centage as a satisfactory one, and whenever it is much exceeded to call upon the Court to show cause. In the North West Provinces the per-centage has not exceeded 4 per cent during the past 3 years, and the Judges are well aware from experience that the number can

be reduced to a minimum by enforcing regularity in the Courts and attention on the part of the peons and the subordinate ministerial officers.

10. A comparison of the returns of dismissals on default in different districts and in different Courts in the same district will establish that the high per-centage in some is not the result of the authorized system of procedure, which ought to be the same in all Courts and districts, but of the manner in which that system is worked, and no better test of this could be afforded than that of the Umritsur Small Cause Court quoted by His Honor. In that Court in 1866 the proportion of dismissals on default amounted to 29 per cent, in 1868 to 15 per cent, and in the second quarter of 1869 to only 10 per cent. The Court is not prepared to say how much of this result is due to the officers presiding in this Court, but the Judges have no doubt that a large part of it may be ascribed to the practice of giving a memo to every plaintiff informing him of the day fixed for hearing and of hearing his case on that day.

11. The Judges of the Chief Court fully agree with His Honor that the practice, which obtains largely in some Appellate Courts, of remanding cases for re-investigation involves great delay and frequently is unfair both to the parties and to the Court appealed against. A great part of it is due to the obstinate adherence of some of the older judicial officers to the old system under which no restriction was placed on the power to remand a case for re-trial.

12. Since the introduction of the Appellate system of the Code of Civil Procedure the Chief Court has lost no opportunity of calling the attention of these officers to the restriction placed on remands. It has repeatedly noticed the disregard of the provisions of Section 351 of the Code in cases which have come before it, and the subject was also prominently referred to in para. 146 of the Court's Civil Report for 1867, which was distributed to all subordinate Courts.